


SOCIAL  
ADMINISTRATION  
INCLUDING  
THE POOR LAWS

JOHN J. CLARKE, M.A., F.S.S.

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SOCIAL ADMINISTRATION  
INCLUDING  
THE POOR LAWS

BY  
JOHN J. CLARKE, M.A., F.S.S.

LUNDIE SILVER MEDALLIST FOR CITIZENSHIP; LECTURER IN CIVIC LAW (LAW OF HOUSING AND TOWN PLANNING) IN THE UNIVERSITY OF LIVERPOOL; LECTURER IN PUBLIC ADMINISTRATION, LOCAL GOVERNMENT, AND CITIZENSHIP FOR THE LIVERPOOL EDUCATION AUTHORITIES; LECTURER TO THE WORKERS' EDUCATIONAL ASSOCIATION AND CO-OPERATIVE UNION; TUTOR TO THE UNIVERSITY EXTENSION BOARD AND NATIONAL ASSOCIATION OF LOCAL GOVERNMENT OFFICERS;

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TO  
THE MEMORY OF  
THE RIGHT HONOURABLE  
CHARLES BOOTH,  
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AND  
WILLIAM RATHBONE,  
PIONEERS OF SOCIAL ADMINISTRATIVE  
REFORM



TO  
THE HONORABLE  
THE GOVERNMENT  
OF CANADA  
BY  
WILLIAM BATHURST  
SECRETARY OF STATE  
FOR THE INTERIOR

## PREFACE

PART I of the following pages was originally written at the request of my former colleagues in the Local Government service. The undertaking was made possible through the facilities for study and research which were afforded me by the authorities of the University of Liverpool some years before I joined their staff. The subject-matter has been amplified and brought up to date. The relative portions of the book have constituted the basis for lectures delivered over a period of years in connection with the Liverpool High School of Commerce, the Department of Commerce, the Board of Social Science, the Extension Board, and other Departments of this University ; as well as at Week-end and Summer Schools throughout Great Britain.

Part II, The Scottish Poor Laws, has been based upon Day's *Public Administration in the Highlands and Islands of Scotland* and Shennan's *The Parish Councillor's Hand-book*, in regard to both the historical outline and the present administration. I have endeavoured to confirm the facts by personal observation and inquiry. The proofs were subsequently approved by one of the leading Poor Law administrators in Scotland who prefers to remain anonymous.

In preparing Part IV, I have received valuable guidance from many friends engaged in the public and social services. In particular I desire to express my thanks to the Misses M. H. Cowlin, M. D. Jones, and K. E. Wilkinson, Messrs. F. G. D'Aeth, G. H. Edwards, A. C. Gane, W. Ll. Thomas, and A. R. Watson for verifying the information relative to their respective spheres of activity.

It is hoped that the book will be found useful alike by students of the London School of Economics and Political Science and Schools of Social Science connected with the provincial Universities, as well as by those preparing for the examinations of the Poor Law Examinations Board and kindred bodies. The requirements of the Poor Law administrator, the social worker, and the general reader have also been kept in view.

I am indebted to my friends Mr. Stanley Dumbell, B.A., Mr. James E. Pratt, A.C.I.S., Mr. Frank P. Tushingham,

B.Com.Sc., and Mr. J. Wickham Murray (of the Bootle Municipal Technical School) for perusing the proofs and making valuable suggestions ; and to my friend Dr. G. S. Veitch, M.A., for the considerable assistance he has afforded me in reading the final proofs. Mr. G. W. Coster, Clerk to the West Derby Union, and Mr. R. W. Lewis, F.S.S., Assistant Clerk to the Birkenhead Union, have read the chapters dealing with the present administration of the English Poor Laws.

It was originally intended to continue the narrative of Post-war Unemployment contained in Chapter XXX to the close of the winter of 1921-22. It was found, however, that this opened up a wider field than that covered by this book, namely, the results of the peace as they affect the economic position of the world. Consequently the narrative closes with the termination of the Coal Dispute in June, 1921, but the later legislation, including that passed in the Parliamentary Session of 1922, has been incorporated as far as possible.

The Index has been prepared by Miss Marjorie Peacock of the Library Service Bureau, Liverpool.

JOHN J. CLARKE.

UNIVERSITY OF LIVERPOOL.  
*June, 1922.*

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# SOCIAL ADMINISTRATION

## INCLUDING

# THE POOR LAWS

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### INTRODUCTION

"All the great sources of human suffering are in a great degree, many of them entirely, conquerable by human care and effort."—JOHN STUART MILL.

It is a good thing for the student, the teacher, or the thinker, whatever the subject, to recognize its highest ideal ; to approach it with a fullness of purpose, and with the hope that the time devoted to the furtherance of knowledge, from whatever standpoint, may be spent to the advantage of the individual, and to the betterment of his fellow man. There is no topic before the public which has received so much attention as that of the Poor Laws, and there is no subject which deserves to be, and should be, more carefully studied by the average citizen. Yet, it may be asked, to what extent does the knowledge of the man in the street extend beyond the fact that he pays either directly, or through his landlord, a yearly sum for the maintenance of his poorer brethren ? For what purpose, exactly, this money goes he does not know, neither has he the disposition to inquire until the awakening comes, when, through an occasional scandal, he recognizes that in him, at any rate, the State and the parish has lost the citizen who, by his wilful blindness, has done much to aid and abet a corrupt and unscrupulous management. To such, and there are many, this work will be directed, in the hope that at its completion the dormant interests may have been revived to renewed activity, and that those who may have perused its pages will have received an impetus to inquire further into one of the most pressing social problems of the present, as of the past, generations.

### EARLY HISTORY OF THE POOR LAW.

To appreciate fully the principles of Poor Law legislation it is necessary to trace its history from an early date ; to follow its

development through the centuries, and, at the same time to note the processes of social and economic evolution which present themselves from time to time.

### QUESTIONS FOR CONSIDERATION.

The question of the first approach to present-day pauperism as it originated in the earlier centuries is a point of study which many have overlooked in their endeavours to present a true picture of the birth of mendicancy and vagabondage in this country. The relation of the pauper, who will not work, to the pauper who, through adverse and perverse circumstances, stands face to face with the grim reality of starvation or the workhouse, is a question which has perplexed many of the students of sociology. The much debated question of outdoor and indoor relief as a means of reducing, or at all events minimizing, expenditure on poor relief has been the subject of considerable discussion, and has given rise to the misconception that a rigid adherence to the administration of indoor relief is another form of pauper oppression, while a systematic adoption of outdoor relief has been considered by many the forerunner of a lax and unsatisfactory execution of the powers of Poor Law relief. Again, the relation of pauperism and crime, and of pauperism and national education, presents an interesting and useful subject for inquiry, and lies at the root of much that is done for the betterment and social improvement of the masses.

The much-discussed topic of pauper children and their social condition, of their upbringing, and of the benefit of the system of boarding-out, is one worthy of serious consideration. There lies behind this much that may benefit the number of helpless ones who are a legacy in charge of the Poor Law administrator. In addition, there stands in the forefront the question, so much debated of late, of the reform, or abolition, of the law which was last amended by the Poor Law Amendment Act, 1834. The question whether the Boards of Guardians should follow the School Boards, and become merged in the County and Borough Councils, is one which has not received unanimity of approval, neither can it be said that it is a question which should be settled without the fullest and most careful investigation. The Local Government Committee appointed by the Ministry of Reconstruction, which reported in January, 1918, without

taking evidence or examining witnesses, recommended the abolition of Boards of Guardians and Poor Law Unions as is explained later.

Again, we have the relation of pauperism to old age pensions, with the anticipated diminution of pauperism and the encouragement, or otherwise, of thrift among the working classes. The operations of the Old Age Pensions Acts have proved, contrary to expectation, that infirm old people over 70 years of age have to seek help from the Boards of Guardians, it having been found impracticable for them to live in their own homes on their pensions and be looked after as desired. In like manner also the Blind Persons Act, 1920, which entitles a blind person of 50 to a pension has not proved sufficiently attractive to make the inhabitants of institutions apply for their discharge.

Finally, the relation of private charity to legislative relief is of paramount importance, and, in the majority of instances, there lies a gulf between the two, which in the past has resulted in waste and extravagance which must be deplored, and which has been the means in many instances of encouraging a pernicious system of charitable fraud.

## **CO-ORDINATION OF SOCIAL ADMINISTRATION.**

It has been apparent for many years that the system of Social Administration requires co-ordinating and its relations to the Poor Law need defining. A great change has taken place during the last twenty years. While the Central Departments have steadily refused to approve the abolition of the system of Poor Law administration, the internal organization has undergone considerable change as the result of the Poor Law Orders, issued in 1911 and 1913, during the time that the Right Hon. John Burns was President of the Local Government Board. Thus, although refusing to adopt the main recommendations of the Royal Commission, which reported in 1909, the principles of administration which lay behind the policy of that body have found their way into the working of the system. Side by side with this movement has been the rapid and continuous development of social legislation. Commencing with Old Age Pensions, in 1908, there have been passed in rapid succession a series of enactments whose objects have been the strengthening of the social foundations of society and the building up of a stronger national fabric. It must not be forgotten that the working

classes have in many directions entered into a heritage of social service. A century of voluntary organizations, such as Friendly Societies, Co-operative Societies, Trade Unions, and Building Societies has been supplemented by fifty years of national education. Thus it is that the working classes to-day desire to co-operate in the work of Social Administration. The day for patronage has passed. We live in an age when co-partnership or co-operation, whether in industry or in social service, are characteristic features. The number of people content to accept charity by way of patronage is rapidly declining. It is now a feature of social administration to find sitting round a common board or at a committee or council meeting, representatives of all classes. The worker has ceased to accept benefactions; he now helps to administer them. This is true both in respect of private or semi-private charities and also of the wider sphere of social administration which the Labour Exchanges Act, Trade Board Acts, and National Insurance Acts have called into being. If this be so, it is desirable that those who are called upon to undertake the work of social administration should realize the vastness of their responsibilities.

### THE PURPOSES OF SOCIAL ADMINISTRATION.

Unfortunately, the phrase "Social Administration" has for many people a connotation which implies that it is desirable and necessary in order that some good may accrue to persons in unfortunate circumstances, and it will be the aim of this work to point out that our acts of "charity," while springing from noble motives and high ideals, are not necessarily one-sided. He who is "charitable" to others is, in the ultimate analysis, "charitable" to himself. There are still, however, many people whose knowledge of the inequalities of life is limited to a forced realization that they must contribute portions of their income in "Rates and taxes."

It is a good sign, however, that the number of people interested in Social Service is increasing, and that the estrangement of class and class is diminishing. But that this is a necessary condition of wholesome life has been learnt very painfully. Just as the Great War has shown that strife of nation and nation is, economically as well as morally, a thing which does not pay, so we may realize that the strife of class and class within a nation not only is "immoral," but does not pay either. It is

a somewhat sad reflection that before human nature can be guided to what we may call "moral" action, it must be first convinced that economically it "does not pay." But this is a fact to be faced, and far from being hopelessly pessimistic; we are given grounds for optimism when we consider that the hope for moral treatment of our problems may rise phoenix-like from the dead ashes of our importunate material needs.

When we come down to the bed-rock of all our striving and our ambitions, we find that what we all seek is a very elusive quality that we vaguely know as "Happiness," and we are slowly learning that it is not wholly purchasable by material possessions, although it would be folly to imagine that without a modicum of such possession it would be attainable at all. It includes what we know as "social intercourse." Unless we may meet our fellows in the enjoyment of the common spiritual possessions, which have been passed down to us from the painful travail of the ages, our material possessions help us but little to grasp the elusive thing we seek. The question we must all ultimately ask of ourselves may be reduced to the following: "Can a man be truly happy with possessions beyond the grasp of his more unfortunate brother?" And, after due reflection, we are bound to find that the answer is in the negative. For, supposing a man to have gathered numerous possessions for himself, and successfully to have managed for his fellows nought but trifles. It may reasonably be contended that he will not enjoy his wealth for long. For, in the first place, mere possession of great wealth does not give enjoyment. No matter how delicate and rare our food it requires sweetening by the sauce of fellowship. Secondly, it is not in human nature always to be content in the face of inequality. Sooner or later the actions of the wealthy demonstrate their boomerang-like tendencies—strife commences, and the accumulation of all the wealth in the world will not save them from the inevitable result.

If evidence be required that such is the case, reference may be made to the difference between the social philosophy of the nineteenth century and that of the present day. Imperfect as ours may be, we have at least the rudiments of a workable theory of society: but the same could not be said for the nineteenth century. The few wealthy magnates, with all their apparent success, were not really successful, and finally the boomerang returned. Little by little it had to be realized that the

happiness of the individual implies the happiness of the whole, and *vice versa*.

We have to face the fact that, if we are to realize our potentialities for a full and complete life we must discover what conditions of life are "good," and legislation must then aim at the ordering of society so that these conditions are attainable, as nearly as possible, by all. If we accept this principle, then our deliberations and actions must be for the ordering of society so that these results may be attained as nearly as possible by all.

We must realize that it is hypocritical to regard ourselves as noble simply because we feed the ill-nourished and unfortunate. We *must* do it because the person ill-nourished (either mentally or physically) is a danger to the community—that is, to each and every individual of us. But we must go wisely. Indiscriminate charity is not "good." Enthusiasm must be tempered by experience and reason. There are periods when the word "efficiency" is in everyone's mouth, but, as Viscount Bryce said, it "cannot be extemporized by hastily rushing into action, however energetic. It is the fruit of patient and exact determination of and reflection upon the facts to be dealt with."

It is hoped, therefore, that the following pages will help to trace the evolution of the idea that in order to live well ourselves it is incumbent upon us to see that our fellows at least may have opportunity for living well also. For the work of social administration is not merely a mechanical operation of protective machinery, but entails work worthy of the greatest human efforts, and without an understanding of these high ideals our destiny as a great nation can never be fulfilled.

# PART I

## THE ENGLISH POOR LAWS

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### CHAPTER I

#### EARLY ENGLISH POOR LAWS

#### CONDITIONS OF LIFE.

INQUIRY into the origin of the Poor Law system usually, and most erroneously, stops either at the year 1601, the year of the passing of the 43rd Elizabeth, or at the year 1388, when we have the first mention of "the poor" as a separate class, and the first recognition of a distinction between the "valiant beggar" and the "beggar impotent to serve." It should be remembered that life carried greater risks than at the present time, and the bearing of special hardships demanded a penalty of premature old age and early death.

Under the Saxon rule every peasant was required either to have a house of his own in which he lived, or to live in the house of someone else who was responsible for him. "Land-less men," or men who had no land or domicile of their own; and "lord-less men," or, to be more correct, "master-less men," were compelled to find kinsmen who would undertake to be responsible for them and to shelter them; or, as an alternative, they were assigned to some lord or master by the Crown, which meant complete subjection to that master's will. It is controversial ground as to the interpretation of facts illustrated by such records as the reign of King Athelstan (925-940), wherein it was commanded that of "lord-less men, on whom no law can be got, the kindred be commanded that they domicile him to folk-right, and find him a lord in the folk-mote," which was the general gathering of the people. Further on it was recorded that: "If any land-less man should become a follower in another shire, and again seek his kinsfold, that he" (the kinsman referred to) "may harbour him on condition that he make 'bot'" —that is to say, be

responsible for any injury he may then, or in the future, commit—"for him." A few years later, in the reign of Canute (1016-1035), it was commanded that "everyone be brought into a hundred, and in 'borh'" (a surety) "and that the 'borh' hold and lead him to every plea"; and that each householder was held responsible and liable for all acts committed by those who were under his roof, whether they were bond or free, members of his own household, or strangers. It requires but little consideration of these historical features to realize the social conditions which prompted their inception. The small proportion of the population concerned rendered the effectual execution of these decrees comparatively easy. They secured for the honest and industrial householder security from the ravages of the vagrant bands which, in after years, infested the land. It gave to the land-less man security of livelihood, attaching him to the retinue of some lord within whose circle he found protection. It gave to the landowner sufficiency of labour for his agricultural enterprise and for the maintenance of his household and estates. At the same time it offered no excuse to anyone to attempt any transgression of the laws, under the plea that they had no means of subsistence; and it formed a complete system of civil protection upon the lines of police supervision. It possessed also the advantage of co-operative responsibility in supervising the conduct, and providing for the wants, of those who would otherwise have been a menace to the public safety.

### REORGANIZATION OF THE POPULATION.

Before the Norman invasion, under the Anglo-Saxons, the free portion of the population of this country was divided on the one hand into the *Eorls* (or Earls in Dane-Saxon), who included the King, the Ealdormen (Alderman is the modern equivalent), and the Thanes; and, on the other hand, into *Ceorls*, or husbandmen, who appear to have been what we should now term "small holders," or else tenants holding land of their lords by payment of rent. The greater portion of the people, however, were *villeins*, or serfs, who lived on the land of their lord, and gave their services either in the form of labour in agriculture, or in the pursuit of the particular handicraft which they had been taught. In return for this, they received from the lord the means of support; but it must be remembered that they were entirely subservient to him; their persons, families, and whatever

belongings they possessed were at his disposal. He could sell them and theirs ; attach them to his estate ; transfer them by gift ; will them to his heirs, or to a new proprietor, just as he desired. This scheme of national life, complete in theory, and easily conformed to in those cases where a strict but honourable lord held sway, was liable to cause considerable oppression where the lord was avaricious and tyrannical. Under the somewhat easy rule of the Saxons, this bondage was not severely felt, but with the advent of the Norman was heralded a harsh and stern despotism, whose corresponding advantage of a secure state depended largely on the influence of the reigning sovereign. Thus we find that the reigns of William the Conqueror and of Henry I, although most oppressive, were conspicuous for the comparative security of life and property ; while, on the other hand, the reigns of William Rufus and Stephen, although noteworthy in regard to the tyranny and oppression, did not bring the corresponding security and order.

### DECAY OF THE FEUDAL SYSTEM.

The decay of this system of manorial control may have originated at the time when commutation for services which a lord could demand from the tenant was first introduced. It is remarkable that the disappearance of this system, in the thirteenth century, was effected silently and imperceptibly. That such a drastic social revolution—one of the most sweeping changes which history presents—should have been so carried out quietly is a matter for wonder and surprise. The subject received but scant measure of attention, and one may judge that contemporary chroniclers were not very much surprised at the reform, for but little reference to it is made in the manuscripts of that day. Yet how many revolutions have been effected in consequence of but infinitesimal causes—revolutions which have shaken the thrones of kings to their foundations, and have swept away dynasties, and have altered the political aspect of countries, empires, and continents ? And yet neither legislation nor physical force was involved, for gradually there was effaced first the distinction between Norman and Saxon, and then the distinction between master and slave. The feudal system died during the thirteenth century and subsequent years saw the building up of the English Constitution on the bed-rock of Magna Charta.

The result of this great change soon became evident. The decay of the feudal system caused a great deal of helpless poverty, and it is evident that a vast number of people died of starvation. Many of the poorer people were thrown on the mercy of the world, and, as a natural result, vagrancy—and with vagrancy, crimes of all sorts—were rampant throughout the land. The serf, when he became a free man, and lord of his own person and his own time, first knew the evils of want, with no one at hand to provide for his needs. The dormant spirit of personal freedom awoke in its fullness, urging him to take to a wandering life, in which he supplied his wants by begging and stealing as he went about, without having any distinct idea that the one act or the other was morally or legally wrong. On the other hand, there developed a new class—that of the small farmer, who by his industry took a middle place between the lords of the soil and the labourers. The “Villeins,” however, divided into two classes—those who tried to earn their livelihood by work, and those who preferred a life of idleness and vagabondage.

### THE BLACK DEATH.

The Black Death began at Melcombe Regis in August, 1348, and it quickly spread eastwards and westwards, sweeping away one-third or, as some estimates put it, one-half of the population of England.

Because of the inroads made on the population by the spread of the plague, the advance of wages was accelerated. Under Edward III, in the year 1350, the wage of a common labourer was one penny per day, and this advanced until, in 1444, under Henry VI, the wage was threepence per day. It must, however, be borne in mind that the purchasing power of money was far greater than at the present time, for in those days a bushel of wheat cost about tenpence, and a whole sheep could be bought for less than half-a-crown. The Legislature, however, directed its attention to the maximum rate, whereby the employee was forbidden to ask, or even to take, more than a certain amount, whereas the employer might pay as much less as he could succeed in getting the labourer to accept. The “Statute of Labourers,” in the year 1349, provided: “That every man, bond or free, who is able in body, shall be bound to serve any employer (the preference to be given to his own lord) who shall require him, and shall only take the wages which were the custom to be

given in 1347, and he be forbidden to leave his employment as long as there is any work to do." The year 1347 was, no doubt, given as the basis for this calculation because, as it was the year before the Black Death, labour was not so scarce or in such demand, and was, therefore, cheaper. As would naturally be expected, this law did not prove successful, and had to be re-enacted repeatedly. Also, to cope with the shortage of labour, consequent upon the ravages of disease, in June, 1349, while Parliament was prorogued, the King issued a proclamation which, afterwards embodied in the "Statute of Labourers" before mentioned, ordained: "That, because many valiant beggars, as long as they may live by begging, do refuse to labour, giving themselves to idleness and vice, and sometimes to theft and other abomination, none, upon pain of imprisonment, shall, under the colour of pity or alms, give anything to such which may labour, or presume to favour them in their sloth, so that hereby they may be compelled to labour for their necessary living." The statute applied not only to reapers, threshers, ploughmen, and those engaged in agriculture, but to carpenters, filers, masons, plasterers, and other craftsmen whose labour was only distantly connected with agriculture.

The Black Death was also the principal reason for the introduction of the "stock-and-land" lease, whereby the semblance of the tenant-farmer system was introduced into English agriculture. By this arrangement the farmer had to provide only the labour, a task which had become so great a trouble to the landlord.

### ACT TO PREVENT VAGABONDAGE.

The Act of 1388—commonly called the "12th Richard II"—is generally considered to be the origin of the English Poor Law. Like its predecessors, it was directed to prevent vagabondage. It provided: "That no servant or labourer, be he man or woman, shall depart at the end of his term out of the hundred, rape, or wapentake, where he is dwelling, to serve or dwell elsewhere, or by colour to go in pilgrimage, unless he bring a letter patent containing the cause of his going, under the King's seal, which for this intent shall be assigned to the keeping of some good man, at the discretion of the Justice of the Peace. That every person that goeth begging, and is able to serve or labour, it shall be done of him as of him that departeth out of the hundred, or other place, with letter testimonial, as afore is

said. Beggars impotent to serve shall abide in the cities and towns where they be dwelling at the time of the proclamation of this statute ; and, if the people of the cities and towns will not, or may not, suffice to find them, that then the said beggars shall draw them to other towns within the hundred, rape, or wapentake, or to the towns where they were born, within forty days after the proclamation made, and there shall continually abide during their lives." It is this latter section, wherein the State for the first time separates those "impotent to serve" from those "able to serve or labour," which makes the Act so very important in the consideration of Poor Law history ; for, although the State provides no remedy for their creation, nor makes provision for their maintenance, it is an important step that the Legislature should have begun to recognize their existence.

### THE AGRARIAN REVOLUTION.

An Act passed in the reign of Henry VII against "Vagabonds and Beggars," while covering much the same ground as that of Richard II, provides a further clause that "Beggars not able to work shall go rest and abide in the hundred where they last dwelled, or where they were best known, or born, there to remain or abide, without begging out of the hundred, upon pain to be punished as is before said." The latter phrase clearly implies that leave was given to beg in the hundred, and is, in fact, the legalizing of begging as a means of subsistence for the aged poor. From this time forward the punishment of "idle vagrants," mentioned in this Act, became more and more severe, and tends to the conclusion that pauperism, and with it vagrancy, was on the increase. And this tendency towards increased poverty was the more aggravated in consequence of what has become known as the Agrarian Revolution. The causes of this were the increased demand for wool, in consequence of the rapid development of the English woollen industry and the scarcity of labour following upon the Black Death.

Landowners found it paid them better to turn their arable land into pasture land than to grow wheat and other cereals. The result was that large numbers of men, with their families, were driven off the land, and wandered about the country in search of employment. The evils of this state of things compelled the Legislature to put restrictions on the extent of pasturage,

and to insist on the tillage of sufficient land for the wants of the community. In 1489, Parliament attempted to check enclosures in the Isle of Wight ; in 1514, a proclamation forbade the holding of more farms than one, but legislation was apparently not successful, for in 1534 a fresh statute complains of the engrossing of land for pasture, whereby " a marvellous number of the people of the realm be not able to provide for themselves, their wives and children, but be so discouraged with misery and poverty that they fall daily to thefts and robbery or pitifully die for hunger or cold," and goes on to enact that no one shall keep more than two thousand sheep.

### PUNISHMENT FOR BEGGING.

In the year 1530, just before the King's breach with Rome, an Act (22 Henry VIII) was passed which commanded that if any man or woman " being whole and mighty in body, and able to labour " be found begging, or even without settled occupation, he or she shall, by the Justice of the Peace, " be had to the next market town, or other place most convenient, and to be there tied to the end of a cart naked, and be beaten with whips throughout the same town or other place till his (or her) body be bloody by reason of such whipping." The Act then permits the culprit to beg his way back to the place where he was born, or where he lived for the last three years, " and there put himself to labour like as a true man oweth to do." If this not be done, the punishment is to be repeated, but the Act suggests no means of providing work if there does not happen to be any demand for labour. The scholars of the Universities of Oxford and Cambridge were to be punished in the same way if found begging without being authorized under the seal of the Universities. By this Act, also, Justices were authorized to grant a licence to all sick and impotent people, by which they were allowed to beg and live on the alms of the people within a certain prescribed area ; but begging outside the said area was punished by the stocks and a bread-and-water diet. Sir Walter Scott has made use of this in *The Antiquary*, and the following note from the introduction to that work will serve to illustrate the class of licensed beggars, of which Edie Ochiltree was one—

" Many of the old Scottish mendicants were by no means to be confounded with the utterly degraded class of beings who now practise that wandering trade. Such of them as

were in the habit of travelling through a particular district were usually well received, both in the farmer's ha' and in the kitchens of the country gentlemen. Martin, author of the *Reliquiæ Divi Sancti Andreae*, written in 1683, gives the following account of one class of this order of men in the seventeenth century, in terms which would induce an antiquary like Mr. Oldbuck to regret its extinction. He conceives them to be descended from the ancient bards, and proceeds : ' They are called by others and by themselves Jockies, who go about begging, and use still to recite the Sloggorne (gathering-words or war-cries) of most of the true ancient surnames of Scotland, from old experience and observation. Some of them I have discoursed and found to have reason and discretion. One of them told me there were not now above twelve of them in the whole isle ; but he remembered when they abounded, so as at one time he was one of five that usually met at St. Andrew's.' "

All are familiar with the nursery rhyme—

Hark ! hark ! the dogs do bark,  
The beggars are coming to town,  
Some in rags, and some in tags,  
And some in velvet gowns.

These velvet gownsmen were no doubt the same type as those referred to by Sir Walter Scott in the *The Antiquary*.

An Act of 1536 prohibited open begging altogether, the impotent poor being succoured by their own parish, alms being taken at definite seasons for the purpose.

### SEVERANCE OF ENGLAND FROM ROME.

The severance of England from Rome can be described in a few words. In 1532 an Act was passed denouncing the extortions of Rome and prohibiting payment of first-fruits. In the following year the authority of the King and the sufficiency of the body spiritual to determine all questions of the divine law, without the intermeddling of any exterior person, were asserted, and appeals to Rome were prohibited. The next year another Act was passed in which certain grievous exactions " by the Bishop of Rome, called the Pope," were specified and the independence of the realm therein was again asserted and all payments to the " bishop or see of Rome " were prohibited. By the 26th Henry VIII, cap. 1, the King was declared " the only supreme head in

earth of the Church of England," and finally, in 1536, the authority of "the bishop of Rome" within the King's dominions and the usurpation of the papal power were, by the 28th Henry VIII, cap. 10, declared to be extinguished and "all persons who shall by writing, teaching or preaching uphold the same" were subjected to penalties. Thus was completed the severance of England from the see of Rome, and at the same time were suppressed the small abbeys, priories, and other religious houses of monks, canons, and nuns. This was followed, three years afterwards, by the dissolution of the larger abbeys and monasteries as decreed by the 31st Henry VIII, cap. 13 (1539).

### INFLUENCE OF THE MONASTERIES.

To appreciate fully the extent of the influence exercised by these monasteries as an economic power, a glance at their magnitude will suffice. Altogether by the operation of the Act of 1539, the possessions of 655 monasteries, 90 colleges, 2,374 chantries and free chapels, and 110 hospitals were annexed to the Crown. The clear yearly value of all the houses thus suppressed was, at the rents actually paid, only about £130,000, or about one twentieth of the national revenue, but it is affirmed that their real value was at least ten times as much. In addition, plate, jewels, and goods of all kinds to a vast amount were obtained from this wholesale confiscation. In order to enlist the popular feeling in favour of this measure, King Henry caused it to be given out, amongst other things, that out of the revenues of the abolished establishments a better provision was to be made for the poor. In this, as in other cases, the country was disappointed, but it is worthy of a passing note to observe that out of the revenues that accrued to the Crown, six new bishoprics were endowed, viz.: Westminster, Oxford, Peterborough, Bristol, Chester, and Gloucester. Thomas Fuller, in his *Church History of Britain*, has thus described the monasteries—

"Their hospitality was beyond compare. Especially at Christmas time, they kept most bountiful houses. Whosoever brought the face of a man, brought with him a patent for his free welcome, till he pleased to depart. Some will object that this their hospitality was but charity mistaken, promiscuously entertaining some who did not deserve it. Yea, these abbeys did but maintain the poor which they made. For, some

vagrants, accounting the abbey-alms their own inheritance, served an apprenticeship, and afterwards wrought journey-work, to no other trade than begging ; all whose children were, by their father's copy, made free of the same country. Yea, we may observe, that generally such places, wherein the great abbeys were seated, did swarm most with poor people at this day"—the work was first published in 1656—, "as if beggary were entailed on them, and that laziness not as yet got out of their flesh, which so long since was bred in their bones."

From 1527 to 1536 came a succession of bad harvests which, together with the dissolution of the monasteries, cast an immense number of persons adrift. Many of these joined the ranks of beggars, some by necessity, others by choice.

### SUPPRESSION OF VAGABONDAGE.

With the accession of Edward VI a distinct attempt was made to suppress the vagabondage which, since the dissolution of the monasteries had developed to an enormous degree ; or, to be more correct, which had become more apparent. By the 1st Edward VI, 1547, all previous enactments were repealed, and by the most ferocious Act of the whole series, a number of punishments was instituted for idle vagabonds, "whether man or woman, not being lame, impotent, or so aged or diseased with sickness that he or she cannot work." The idle vagabond was to be branded with the letter V, and to be adjudged a slave for two years to any person who should demand him ; to be fed on bread and water and refuse meat. If he ran away within two years he was to be branded in the cheek with the letter S, and adjudged a slave for life ; and if he ran away again he was to suffer death as a felon.

It is important also to recall that "a young beggar, or the child of a beggar, between the ages of 5 and 14, idly wandering about as a vagabond, may be taken by any manner of person from any such beggar, and upon the person's promising before a Justice of the Peace to bring the child up in some honest labour or occupation the Justice may adjudge the child to be a servant or apprentice to the person so promising until it reach the age of 20 if a woman-child, and until 24 if a man-child." The Act further made provision for the care and relief of the aged and infirm poor on the same lines as the 27th Henry VIII, before mentioned ; and it was enjoined that "the curate of every

parish shall according to such talent as God has given him, exhort his parishioners to remember the poor according to their means and the need there be for such help."

### APPOINTMENT OF "COLLECTORS."

In 1547 special "collectors" of the poor were appointed, who were bound to take office under a penalty of twenty shillings.

It is almost unnecessary to state that such a revolting and cruel measure as that of the 1st Edward VI did not remain long on the statute books. Two years later, in 1549, the Act was repealed because "the good and wholesome laws had not been put in execution because of the extremity of some of them." The 22nd Henry VIII (1530), before described, was revised, and its provisions were again enforced. By the 5th and 6th Edward VI, 1551, it was directed that in every city, town and parish, a book should be kept by the parson, vicar, or curate and the churchwardens, containing the names of the householders and of the impotent poor; and that the mayor and head officers in towns, and the parson and churchwardens in every parish, should yearly, in Whitsun week, "openly in the church and quietly after divine service, call the householders and inhabitants together," and should "elect and appoint two able persons or more to be collectors of the charitable alms of the residue of the people for the relief of the poor, and the collectors were to gather and distribute the alms weekly to the poor and impotent persons." Any person refusing to contribute was to be exhorted by the parson and churchwardens, and, if still obstinate, was to be taken before the bishop for him to exhort. The collectors were to account quarterly to the town and parish authorities for all moneys received and disbursed. These collectors may be taken to be the forerunners of the overseers of the poor, who were appointed shortly afterwards.

The Statute of Apprentices or the Statute of Artificers, passed in 1563, provided that all able-bodied workmen were to work in the fields if required; that servants and labourers were to be hired for at least a year at a time; while all apprentices were to follow the London custom of a seven-years' service. Finally, corporate towns were benefited inasmuch as in them the sons of 40s. freeholders might be taken as apprentices, whereas in market towns the minimum qualification was a 60s. freeholder. Wages were to be assessed by the Justices of the Peace, subject to the

approval of the Privy Council, but for the first time there was no maximum limit.

### OVERSEERS OF THE POOR.

The next Act of importance was the 5th Elizabeth (1562-3), whereby the penalty for refusing to act as "collector" was increased to £10, and it was provided that where the exhortations of clergy, churchwardens, collectors, and bishops alike had failed, the bishop might make the obstinate individual appear before the justices, when "they may cesse, tax and limit upon every such obstinate person so refusing, according to their good discretion, what sum the said obstinate person shall pay," and in the event of refusal the justices were empowered to commit him to prison. This Act is of considerable importance, as being the first instance of compulsory assessment for the relief of the poor. The Act for the "Punishment of Vagabonds" (14 Elizabeth), passed in 1572, contained very severe measures for the punishment of the sturdy vagabond, as well as provision for the aged and infirm poor. It also made important provisions whereby the justices were required to tax and assess the inhabitants dwelling within the parish to such weekly charge as they should contribute, to appoint persons to collect and distribute the same, and to appoint overseers of the poor, who should continue in office for one whole year. By the 39th Elizabeth, 1597, the churchwardens were declared to be overseers *ex-officio*, and the justices were yearly, in Easter week, to appoint "four other substantial householders to the same offices." In addition to the powers previously mentioned, these overseers were authorized to raise weekly a convenient stock of flax, hemp, wool, thread, iron, and other necessary ware and stuff to set the poor to work, and to put out pauper children to be apprentices. Habitations were to be built for the aged poor and a register of the poor kept. Finally, the amount of the contribution was fixed; a regular charge was to be made, and though this might be appealed against at Quarter Sessions, refusal to give would be punished by imprisonment.

It will thus be seen that Elizabeth had to deal with a labour difficulty, the result of many forces acting in combination, such as the enclosure of land for sheep-farming, the dissolution of the monasteries and religious foundations, the debased and discredited currency of Henry VIII, which had increased the price

of necessaries 100 per cent, consequent upon which many labourers were unable to exist upon their wages, and the decadence of the guilds. All these had either helped to throw men out of work, or to make work unremunerative, or to destroy the means by which the poor had been relieved.

### THE ORIGIN OF PAUPERISM.

This completes the brief résumé of the principal Acts relative to the relief of the poor passed prior to the 43rd Elizabeth (1601), which still remains the foundation of the English Poor Law legislation. It may be considered that too much space has been occupied in dealing with these earlier enactments, but it has been thought advisable to deal at some length with these matters, which have received but little attention in the customary reviews of the question. Further, it was necessary to eliminate all trace of the old theory as to the origin of pauperism in England ; a theory which has been encouraged by authorities of considerable weight and importance, and whose observations have been, in many respects, misleading. In leaving this part of the question, one cannot do better than quote Professor Sir William Ashley's summing up in his *Economic History*. He says—

“ It is a mistake to suppose that the Dissolution of the Monasteries created English Pauperism. The Dissolution rendered more apparent, and also actually increased, the burden of pauperism, for the beggars and loafers who had previously managed to find a livelihood by going from Monastery to Monastery found themselves deprived of their accustomed resources.”

## CHAPTER II

### THE ENGLISH POOR LAWS (1601-1833)

#### POOR LAW LEGISLATORS.

It is but natural that the age which produced Francis Drake, Frobisher, Hawkins, Raleigh, and other adventurers ; poets and dramatists, such as Spenser, Shakespeare, and Marlowe, and writers like Thomas More, Ben Jonson, and Hooker, should have given statesmen and legislators in the persons of Robert Cecil, Francis Bacon, and Edward Coke. From the hands of the Elizabethan legislature has been handed on to us the great English Poor Law, the 43rd Elizabeth, cap. 2 (1601), the principles of which still remain, after a lapse of over three hundred years, the basis upon which our Poor Laws are administered. It stands to-day a monument to the wisdom of the statesmen of the Elizabethan age and to their remarkable foresight with regard to social conditions.

#### THE POOR LAW ACT, 1601.

The Act is a marked contrast to the degrading and inhuman Acts which had their inception with the passing of the Statute of Labourers. The terms of the Act are, briefly, as follows—

It directs that in every parish "four, three or two substantial householders shall, under the hand and seal of two or more Justices of the Peace, be yearly nominated in Easter week, and that these, with the churchwardens, shall be overseers of the poor." In order to carry out the provisions of the Act, the overseers are to raise "weekly or otherwise in every parish by taxation of every inhabitant, parson, vicar and other, and of every occupier of tithes, coal mines, and saleable underwoods in the said parish," such necessary and sufficient "sum or sums of money as they shall think fit." The funds so realized are to be expended in the following manner—

*First.* "For setting to work the children of all such whose parents shall not be thought able to keep and maintain them."

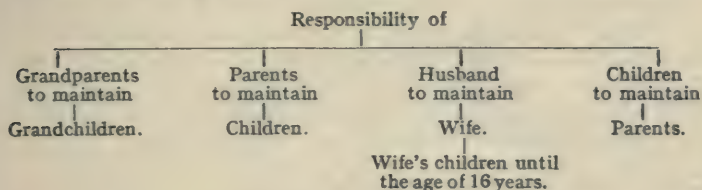
*Second.* "For setting to work all such persons, married and unmarried, having no means to maintain them, and who use no ordinary and daily trade of life to get their living by."

*Third.* "For providing a convenient stock of flax, hemp, wool, thread, iron and other ware and stuff to set the poor to work."

*Fourth.* "For the necessary relief of the lame, impotent, old, blind and such other among them being poor and not able to work."

Supplementary also to the 39th Elizabeth, cap. 3 (1597), the Act extended the liability as to maintenance to grandparents wherever it was possible.

This responsibility, which is a most important factor in connection with Poor Law administration, may be more clearly shown from the following table—



A married woman, having separate property, is liable, at the present time, for the maintenance of her husband and children.

Justices of the Peace are empowered to commit to "house of correction or common gaol such poor people as shall not employ themselves to work after they shall have been appointed thereunto by the overseers."

## PRINCIPLES OF POOR LAW LEGISLATION.

We have now arrived at the basis of the three great principles underlying all Poor Law legislation, which may be stated as follows—

1. RELIEF by the State for its own protection and as a remedy against the evils of destitution (*vide* Second, Third, and Fourth Clauses above).

Destitution implies that a subject is for the time being without material resources directly available and appropriate for satisfying his physical needs, whether actually existing or likely to arrive immediately.

By physical needs are meant such needs as must be satisfied in order to maintain life, or in order to obviate, mitigate or remove causes endangering life or likely to endanger life or impair health or bodily fitness for self-support.

2. **REPRESSION**, by making the relief by the State repulsive to the moral sense, and severe in the treatment of the idle, immoral and vicious (*vide* Second and Third Clauses above, which provided also for the punishment of those who would not work).

3. **REMEDY**, in the provision by the State of means to educate, rear and train such children as are without proper protection and care (*vide* First Clause above).

The simple requirements of the Act rendered its execution somewhat easy. It endeavoured to meet and to remedy the evils which were the natural results of the conditions of the times, and which were due also to the conditions attributable to former legislation. Like all other great enactments it was not perfect, and did not wholly meet the requirements of the case. It is a matter of interest that but few amendments were placed upon the Statute Books until the Poor Law Amendment Act, 1834. Such amendments were for the purpose of enlarging certain of the principles laid down by the 43rd Elizabeth (1601).

### THE "LAW OF SETTLEMENT."

With the Restoration there appeared a dark cloud upon the legislative horizon, which left its shadow upon all subsequent enactments. The 13th and 14th Charles II, 12 (1662), recites that "the necessity, number and continued increase of the poor, not only within the City of London and Westminster, but also through the whole Kingdom of England, is very great and exceeding burdensome, being occasioned by reason of some defects in the law concerning the settling of the poor; by reason of which poor people are not restrained from going from one parish to another, and therefore do endeavour to settle themselves in those parishes where there is the best stock, the largest commons or wastes to build cottages, and the most woods for them to burn and destroy." By the terms of the Act, upon complaint by the parish officers, within forty days after any such person's coming to settle, as before mentioned, in any tenement under the yearly value of £10, Justices of the Peace were empowered by warrant to remove such person to the parish where legally he was last settled for not less than forty days, either as a native, householder, sojourner, apprentice or servant unless he give sufficient security for the discharge of the liability of the parish.

The "Law of Settlement" thus brought into being gave but

scant satisfaction. It was undoubtedly a protective measure for the greater security of London and the large provincial centres ; and, like all protective measures, past and present, gave security only to the few—and those principally the legislators themselves—and caused considerable and needless trouble to the great mass of the community. That the industrious journeyman seeking for a wider sphere of labour, or for an improved wage, should be debarred from so doing—by reason of the selfishness of those who possessed much, or as a punishment for the evils of his less worthy neighbour—was a principle not only degrading, but one which, by reason of its narrowness of vision, checked the mobility of labour. Moreover, the Act was one which, in consequence of its temptation to fraud, gave rise to injustice, dissatisfaction, and unnecessary expenditure due to litigation. The Act was further amended in 1685, by an Act of James II, when it was provided “ that as poor persons at their first coming to a parish do commonly conceal themselves,” the forty days’ continuance in a parish intended by the Act of 1662 to make a settlement were to be reckoned from the time of the person’s delivering notice in writing to the parish officer. This was further amended in 1691, when it was enacted that the notice was to be read in church.

### REGISTER OF PAUPERS.

The same year (1691) saw the passing of a short Act, which, because of its utter simplicity and reliance on the integrity and discretion of the Justices of the Peace stands in marked contrast to the rigid severity of former enactments. In consequence of the careless and lax administration “ by reason of the unlimited power of the churchwardens and overseers of the poor, who do chiefly for their own private ends give relief to what persons and number they think fit,” it was ordered that a register with names of the paupers should be kept ; the same to be examined by the Vestry Meeting each Easter, and no person’s name should be added to it except at that time, unless allowed by the authority of one Justice, or by order of the Bench at Quarter Sessions. What credulity these seventeenth century legislators must have possessed to believe that one solitary human being, in the person of a Justice of the Peace, would be proof against the threats of the ruffian and the hypocritical tears of the professional beggar !

### THE "WORKHOUSE TEST."

In 1697 a further development took place at the instance of a Mr. John Carey, when a building, which was called a "workhouse," was erected at Bristol under a local Act of Parliament. It was intended to make the inmates self-supporting by allowing them to live on the products of their labour. The experiment failed in consequence of the inmates being too young, too old, or too infirm to work. The principle, however, of the "workhouse test," which gave power to the overseers to refuse relief to all who declined to be lodged and kept in such houses, had so great an effect that in 1723 an Act was passed to make them general, authorizing the churchwardens and overseers, with the consent of the parishioners, to join in unions to establish a workhouse in each parish; and at the same time, it was enacted that the overseers should be entitled to refuse relief to those who declined the workhouse test. The results completely justified the experiment, and for some time after the legislative machinery ran smoothly: so much so in fact that it appeared that, in the course of a few years, pauperism, with its attendant evils, would have been a thing of the past.

### REACTION AFTER THE INDUSTRIAL REVOLUTION.

The closing years of the eighteenth century were years of plenty—the calm before the storm, which rose to its height when the Napoleonic star was at the zenith. The Industrial Revolution—due to the introduction of machinery—had developed the English manufactures to an enormous extent. Exports nearly doubled during the space of a few years, and the increase in the Lancashire cotton mills produced an unprecedented demand for labour. Capital was accumulating in the country, and everything presented a bright and rosy appearance. The reaction, however, was not long in setting in. The great migration from the country to the manufacturing centres, where the agricultural labourer hoped to benefit by the demand for labour, resulted in the price of wheat advancing to famine charges. Added to this, the increase of prosperity led to a rise in the birth-rate, which acted as a check on any corresponding increase in wages. Then came the war with America and the outbreak of hostilities in Europe, which cut off the vast supplies from the cornfields of both continents whence England had been accustomed to obtain whatever additional

cereals she required. On the one hand the landlord and the farmer became rich beyond all anticipation, and on the other the scarcity of a bad harvest led to an increase of pauperism, misery, crime, and death.

### " GILBERT'S ACT."

In 1782 a new Act of Parliament was passed, which has become known as " Gilbert's Act." It was due to the initiation of Mr. Gilbert, who was Member of Parliament for Lichfield. It recites the great increase in Poor Law expenditure and the increased sufferings of the masses, holding the parochial authorities responsible for both. It then formulates new proposals, which were, however, only adoptive and not compulsory. Under the terms of the Act, England might be divided into Unions or Incorporations, by voluntary union of adjacent parishes. Power was given to build a workhouse for the Union so formed, to which only the old, sick and infirm were to be sent. It was enacted that Justices of the Peace were to appoint visitors and guardians. The visitors were honorary officials, while the guardians were to be paid for their services in much the same way as our present relieving officers. Further, outdoor relief was to be given to the able-bodied, and the guardians were ordered to find suitable work for them near their own homes, supplementing wages from the rates. It is probable that Gilbert had in mind the possibility that in the larger workhouse there could be better classification between the paupers; really an attack on the "mixed" workhouse which has characterized modern developments. Sixty-seven Incorporations were formed under this Act, whose efforts were, however, to relax the control which previous enactments had succeeded in securing over the ravages of vagrancy.

### CHILDREN AND THE LEGISLATURE.

There is another side of the question which so far has not been considered—the responsibility of the legislature for the children. Since the days of Elizabeth the Statute Book had constantly received additions to the Law of Apprenticeship. The period under review was one where the influence of money and position was of paramount importance. The mill-owners of Lancashire required cheap labour wherewith to add to their wealth—the labour of women and of children. When the country-folk asked for relief, in many cases it was forbidden them, unless they

allowed their children to be apprenticed to the great mill-owners. Children were imported from the great town workhouses, some of four, five or six years of age, to work in the filthy and unhealthy mills for thirteen or more hours per day, and the mill-owners were bargained with to take one idiot in every twenty children. One need not long consider what was the fate of the unfortunate twentieth child. In 1792 an Act was passed against the gross misuse of the system of parish apprenticeship, and was the commencement of the series of Factory Acts with which the names of the elder Sir Robert Peel, Lord Shaftesbury, and Viscount Cross will ever be associated.

### REVOLT AGAINST THE LAW OF SETTLEMENT.

Edmund Burke had meanwhile been shooting to right and left the arrows of his righteous indignation against the cruel and obnoxious system of the Law of Settlement. In 1795 he wrote his celebrated pamphlet entitled *Thoughts on Scarcity*, in the course of which he said : " To provide for us in our necessities is not in the power of Government. It would be a vain presumption in statesmen to think they can do it. The people maintain them, and not they the people. It is in the power of Government to prevent much evil ; it can do very little positive good in this, or, perhaps in anything else. It is not only so of the State and statesman, but of all classes and descriptions of the rich ; they are the pensioners of the poor, and are maintained by their superfluity. They are under an absolute, hereditary and indefeasible dependence on those who labour and are miscalled the poor." A little earlier, Adam Smith had come forward from his retirement in Kirkcaldy, bringing with him the fruits of his ten years' retirement. In the pages of *An Enquiry into the Nature and Causes of the Wealth of Nations*, first published in 1776, we find the following significant remarks : " To remove a man who has committed no misdemeanour from the parish where he chooses to reside is an evident violation of natural liberty and justice. The common people of England, however, so jealous of their liberty, but like the common people of most other countries, never rightly understanding wherein it consists, have now for more than a century together suffered themselves to be exposed to this oppression without a remedy. Though men of reflection, too, have sometimes complained of the law of settlement as a public grievance, yet it has never been

the object of any general popular clamour, such as that against general warrants, an abusive practice, undoubtedly, but such a one as was not likely to occasion any general oppression. There is scarce a poor man in England of forty years of age, I venture to say, who has not in some part of his life felt himself most cruelly oppressed by this ill-contrived law of settlement." The great economist died in July, 1790, but the truth of his writings was recognized when—thanks to the renewed energy of Burke—in 1795 the Act of Settlement of Charles II's reign was repealed, and a new Law came into operation, which provided that persons could not be removed until they had actually come on the rates, and, even under those circumstances, if in the opinion of a Justice of the Peace the pauper was unable to travel, an order could be obtained to suspend the removal.

### THE SPEENHAMLAND ACT.

Meanwhile, the nation was beginning to feel the horrors of the continual warfare in Europe. Not that the country was witnessing the encounter of arms, but what was equally disastrous to the poor was the famine prices demanded for the necessities of life. The murmurs of discontent grew louder and louder. Legislators were prepared to meet the demands of the agitators, and made efforts to stem the rising tide of an apparent revolution among the working classes. Concession followed concession, until on 6th May, 1795, at Speenhamland, near Newbury, in Berkshire, the Justices in Quarter Sessions issued an instruction—the celebrated "Speenhamland Act of Parliament." The magistrates declared that in future they would make certain calculations and allowances as a relief in aid of the wages of all poor and industrious men and their families. They then proceeded to fix a scale of relief proportioned to the price of wheat and the number of the family. That is to say, if the cost of living went up, wages must go up also; and if the cost of living was reduced, the extra money was at once to be taken from the labourer. The scale thus adopted by the Berkshire magistrates at the Pelican Inn was not the first made. It became, however, the most famous and was the favourite model. Throughout the whole country, encouraged, no doubt, by the trend of public opinion as expressed in the House of Parliament, the "Bread Scales"—as this system was sometimes called—was adopted. Wages were made up to that point upon which the labourer

could live by the parish doling him bread or flour. There was a fall in the value of labour in consequence, and in more than one parish the authorities decided that the rate of wages should be nothing and that the pauperized labourer was to be paid from the poor rate.

### OUTDOOR RELIEF INSTITUTED.

In 1796 the climax was reached by the passing of the 36th George III, cap. 23, which, after mentioning that the provisions of the Act of George I, which came into operation in 1723, prohibited relief to persons refusing to enter the poor-houses, went on to declare that it "has been found to have been and to be inconvenient and oppressive, inasmuch as it often prevents an industrious poor person from receiving such occasional relief as is best suited to his peculiar case, and in certain cases holds out conditions of relief injurious to the comfort and domestic situation and happiness of such poor persons." The powers of the Act, which did not, however, apply to places where poor-houses or other places were established under Gilbert's or any other Act, were as follows. Power was given to the overseers, with the approval of the parishioners in vestry or of a Justice of the Peace, to distribute relief to industrious poor persons at their homes under certain circumstances of temporary illness or distress and in respect of their families, although such poor persons refused to be lodged and maintained in any poor-house which may have been provided for "lodging, keeping, maintaining, and employing all poor persons desiring to receive relief." In addition, authority was given to Justices of the Peace to exercise a "just and proper discretion"—these are the words of the Act, and are worthy of special note—to order relief, in special cases stated in writing for a period not exceeding one month.

### JUSTICES AS RATING AUTHORITY.

A little later the work of the Justices was further extended by the passing, in 1801, of an Act which made them the rating authority. Not only were they authorized to quash an illegal rate but they were given power to amend it by alteration of names and amounts. By an Act passed two years later, the penalty for an illegal decision to be recovered from a Justice of the Peace was limited to twopence, unless it was proved that he

acted from improper motives. This latter Act became necessary in order, so it was declared, "to render the Justices of the Peace more safe in the execution of their duty."

### FARMING THE POOR.

A further amendment of the Act of 1723, previously mentioned, followed in 1805. The former Act instituted a system of farming the poor "for the greater ease of parishes in the relief of the poor." It authorized parish officers, with the consent of the parishioners or inhabitants in vestry, to purchase or hire houses, "and to contract with any person or persons for the lodging, keeping, maintaining and employing any or all such poor in their respective parishes, townships or places, as shall desire to receive relief or collection from this same parish, and there to keep, maintain and employ all such poor persons, and take the benefit of the work, labour and service of any such poor person or persons who shall be kept or maintained in any such house or houses, for the better maintenance and relief of such poor persons who shall be there kept or maintained." Refusal on the part of anyone to be so provided for entailed refusal of relief; and small parishes were empowered to unite or contract with another parish for the maintenance of its poor. Innumerable evils crept into such a system, leading to instances of cruelty and oppression of a revolting character. A Statute was passed in 1790 which enabled Justices, or medical men authorized by them, or the clergymen of the parish, to visit workhouses, and on finding cause for complaint to certify to the Quarter Sessions; and the court was authorized to make orders for the removal of the cause of complaint. It was further resolved that if, on visitation, any of the poor were found suffering from any contagious or infectious disease, or in want of immediate medical or other assistance, or of sufficient food, or requiring separation or removal, Justices of the division were empowered to make an order for relief according to the necessities of the particular case without waiting for the authority of the Quarter Sessions. This was further amended in 1805 by the above-mentioned Act (45 George III, cap. 54), which required that the contractors for farming out should be resident in the parish, should find sureties for the proper fulfilment of the undertaking, and that the contract should be approved by two Justices before coming into operation.

### THE BASTARDY ACTS.

Perhaps the lowest ebb which modern civilized legislation reached was attained by the passing of the Bastardy Acts of 1809 and 1810. By an Act, passed in the reign of James I, the mother of an illegitimate child was punished by imprisonment with hard labour. In the second half of the eighteenth century the practice was to deal with bastardy by making at Quarter Sessions an order for regular payments on both the mother and putative father. By the two Acts passed in the reign of George III, mothers of illegitimate children were the class of persons most comfortably off. Under these Acts any woman before the birth of her illegitimate child, and upon her own unsupported word, could cause any man whom she swore to be the father of her child, either to be sent to prison unless he could indemnify the parish against any expense in respect of the child said to be his, or, as an alternative, to marry the woman. The legislators had hoped to protect the woman against the man—the weak against the strong. The Acts produced the most shameful and demoralizing traffic. The average allowance per head was three shillings in the towns and two shillings in the country, and the mothers were much better off than the respectable wives of labourers. In other words, the Acts set a premium on vice to the discouragement of virtue. Moreover, women were often bribed by the real father and deliberately encouraged by the overseers to swear their offspring to such men as would be able to pay the largest sum of money for their maintenance; and in many cases a woman was married by a dissolute fellow who lived a life of idleness on the fruits of the woman's shame and untruth.

### PARLIAMENTARY INQUIRY.

In 1817 a Committee of the House of Commons was appointed to inquire into some of the evils of the existing legislation. The only practical result was the passing of an Act (59 George III, cap. 12) in 1819 which empowered the constitution of select vestries for the administration of relief, and regulated their proceedings. In places where they were established, overseers were forbidden to give relief other than ordered by the vestries, except temporary relief in cases of sudden emergency or urgent necessity. Assistant overseers were to be appointed and this was the beginning of the salaried staff. The power of the Justices to order relief was somewhat curtailed in places where select

vestries had been established. They had power, however, to order temporary relief in cases of sudden emergency or urgent necessity, as before stated, but they were forbidden to order relief in parishes where select vestries were established, or in which the relief of the poor was under the management of guardians or other similar bodies. The vestries were also instructed to discriminate between the "deserving and the idle, extravagant and profligate poor." Further facilities were given for building workhouses, and for the first time relief might be granted on loan.

### THE PAUPER LUNATIC.

Finally, in 1828, the legislature in a humanitarian manner endeavoured to assist the one class of paupers who had up to then been left to the discretion or tender indulgence of others—the lunatic. To what misery, cruelty, and oppression that unfortunate body of human beings had been subjected one can only imagine. It shows how little faith can be placed in a policy of sentimental legislation such as that described, that the Act of 1828 was the first occasion on which the State made special provision for this unfortunate class, who is more deserving of compassion and more in need of public sympathy and relief than any other.

## CHAPTER III

### THE ROYAL COMMISSION, 1832, AND THE POOR LAW AMENDMENT ACT, 1834

#### SOCIAL REFORM MEASURES.

MANY of the principal social movements of the nineteenth century first took definite form during the thirties. Catholic emancipation in 1829 was followed in 1833 by State aid to elementary education through a grant of £20,000 per annum by the Treasury. The Reform Bill was passed in 1832, and the following year Negro Emancipation was granted. The Royal Commission, 1834, was followed the next year by the Municipal Corporations Act, 1835. The movements in the interest of social reform were the result of the efforts of the Utilitarians, the Chartists, and the Christian Socialists, who encouraged also the co-operative system of industry, which, springing from the mind of Robert Owen, has left its stamp in the co-operative movement as we know it to-day.

#### POOR RELIEF EXPENDITURE.

With public effort so directed it was inevitable that the Poor Law should receive attention at the hands of the legislature. Nor was this unnecessary, for the expenditure on this account alone had gradually sapped what little remained of the financial resources of the country until the burden of local taxation had become intolerable. It will be remembered that the introduction

Year.	Estimated Population of England and Wales.	Poor Relief Expenditure.	Per Head of Popula- tion.	Remarks.
1750	6,467,000	£ 689,000	s. d. 2 2	Workhouse Test. 1723.
1790	8,675,000	2,567,000	5 11	Gilbert's Act, 1782; The "Bread Scales," 1795.
1800	9,140,000	3,861,000	8 5	Repeal of the Workhouse Test, 1796.
1810	10,370,000	5,407,000	10 3	French Wars; Imposition of the Corn Laws, 1815; Wars cost £831,446,449, increasing National Debt by £600,000,000.
1820	12,046,000	7,329,000	12 2	National Debt, £900,000,000,
1832	14,372,000	7,036,000	9 9	Royal Commission.

of the workhouse test in 1723 had checked Poor Law expenditure, while its partial abolition in 1796 produced a recurrence of gradually increasing taxation for pauper maintenance. This is well illustrated by the table on page 40 compiled from a date nearly thirty years after the workhouse test was introduced to a date immediately preceding the reform.

At Cholesbury, in Buckinghamshire, the rates, which in 1801 had stood at £10 11s., reached £367 in 1832. At this stage the whole land was offered to the assembled poor, but they declined the offer, preferring to have it worked for their advantage on the old system.

### APPOINTMENT OF ROYAL COMMISSION.

In February 1832, a Royal Commission was appointed "to make diligent and full inquiry into the practical operation of the laws for the relief of the poor in England and Wales, and into the manner in which those laws were administered, and to report their opinion as to what beneficial alterations could be made." The nine members of the Commission comprised the Bishops of London and Chester, Mr. W. Sturges Bourne (a representative of the older school of reformers), Mr. Nassau W. Senior (the well-known political economist), and Mr. Edwin Chadwick (who was later to be a Poor Law Commission official); while Messrs. Henry Bishop, Henry Gawler, W. Coulson, and James Trail complete the list. Bishop Blomfield, then Bishop of London, who had displayed considerable resource and business capabilities in many efforts of social reform, presided over their deliberations. The Commission was aided in its inquiry by Assistant Commissioners, whom it was authorized to appoint, thus making the inquiry more detailed than would otherwise have been possible. After two years' deliberations the Report was signed on the 20th February, 1834, and on the 17th March in that year, Messrs. W. Sturges Bourne and Nassau W. Senior attended the meeting of the Cabinet to explain its details and the suggested reforms which it contained.

### METHODS IN VOGUE.

It will suffice if a brief outline be given of the methods of relief which were found by the Commission to be in operation.

1. **Outdoor Relief to the Able-bodied.** (1) **RELIEF IN KIND** consisting of grants of food, fuel, clothing, and habitation, the last mentioned being either rent free or rate free. This system,

it is asserted, led to many landowners demanding rent equal to rent and rates combined and so securing a profit at their neighbours' expense.

(2) RELIEF IN MONEY consisting of one of the five following methods—

(a) *Relief without labour*, a method which varied in its application, but of which the ultimate result was the manufacture of vagrants and idlers.

(b) *Allowance system*, including the system of "Bread Scales" before referred to. The allowance extended to the pauper and his family. It encouraged inefficiency of labour—the less a man earned the greater his allowance—and encouraged improvident marriages, by increasing the allowance for children beyond a certain number.

(c) *The Roundsman system* embodied the employment of the pauper labour by the employer either under contract with the parish or in return for a given wage, the parish contributing any deficiency in the amount earned. This system displaced the independent labourer and threw him into the general pool of unemployment, where the bargain between the parish and the employer was favourable to the latter.

(d) *Parish employment* was productive of serious trouble and caused considerable expense to the authority adopting it. The cost of superintendence and the difficulty of enforcing sufficient labour for the wage paid made what might otherwise have been a popular method of relief, the one least adopted. An amusing incident is reported by the Commissioners, which occurred in the parish of Ranccliffe, where the man employed to superintend the parish labour had to flee because the paupers threatened to drown him for attempting to make them work.

(e) *The Labour-rate system* was based upon the employment of the pauper labour by the inhabitants, each one taking a number of paupers either upon the basis of tillage, acreage or assessment. The employer might be at the mercy of the parish authority, who might one week send a healthy youth and the next an old decrepit man, or worse, an idle and worthless character. On the other hand, the independent labourer suffered in a similar manner to that described in the Roundsman system, especially if the employer was forced to take one or more men fairly regularly.

(f) *The Bastardy Acts system*, the evils of which have already been referred to.

2. **Outdoor Relief to the Impotent.** This was a matter of very little trouble, nor did the Commissioners find any grave instances of maladministration. The unfortunate person, whether sick or aged, was more often the subject of injustice than the organizer of wrong. The opportunities which presented themselves for corruption were not so plentiful as to attract the schemer.

3. **Indoor Relief.** This consisted either in the system of "contracting out," instituted by the Act of 1723, or by confinement in a workhouse. The former system was one which created grave and inhuman abuse, but which became mitigated by the amending Act of 1805, previously referred to. The system of workhouse relief was a matter which depended upon the honour and efficiency of the local administration. The Commissioners reported grave abuses and serious evils arising from want of proper control and an efficient system of classification of the inmates. A curious but interesting picture of the workhouse is given by Crabbe, in his poem entitled "*The Borough*," which was first published in 1810. The writer had himself suffered many vicissitudes, and, although his poems are not read very much at the present time, they present a true picture of the times in which he lived.

There is yon house that holds the parish poor,  
Whose gloomy walls contain a dismal door,  
There where the putrid vapours flagging play,  
And the dull wheel hums doleful through the day ;  
There children dwell who knew no parents' care,  
Parents who know no children's love dwell there ;  
Heart-broken matrons on their joyless bed,  
Forsaken wives and mothers never wed,  
Dejected widows with unheeded tears,  
And crippled age with more than childhood's fears,  
The lame, the blind, and—far the happiest they—  
The moping idiot and the madman gay.  
Here, too, the sick their final doom receive,  
Here brought amid the scenes of grief to grieve,  
Where the loud groans from some sad chamber flow,  
Mixed with the clamour of the crowd below ;  
Here sorrowing they each kindred sorrows scan,  
And the cold charities of man to man.  
Here the good pauper, losing all the praise,  
By worthy deeds acquir'd in better days,  
Breathes a few months ; then, to his chamber led  
Expires—while strangers prattle round his bed.

**Settlement.** The question of settlement was one which influenced the whole administration dealt with throughout the

country. No matter what corrupt or unsatisfactory system was found in practice, the Commissioners everywhere reported an inflexible adherence to the Law of Settlement. The settlement gave the able-bodied pauper his right to outdoor relief ; it gave the mother the right of payment for the maintenance of her child, and it secured for the aged the right of protection and shelter in the workhouse for the closing days of their life. The result was that in many places efforts were made to prevent a settlement being effected. In a number of parishes the landowner bought up and pulled down as many cottages as he could obtain, so that cottage accommodation was probably then more scarce and much worse than at any previous time. The labourer sought shelter in the centres of urban population, amidst the congested and insanitary slums of the larger towns, where he lost his self-respect and became—not the ideal yeoman of romance—but the miserable dejected outcast—the results of the power which protected its own interests at the expense of the national weal. And to this day the agricultural interest is still suffering from the effects of the heavy yoke which the old Poor Laws set upon it.

#### THE REPORT OF 1834.

The Commissioners reported also upon the effect of the existing law upon the general moral tone of the country under the three heads of : (1) owners of property ; (2) employers of labour ; and (3) labourers ; and further inquired into the character of persons who distributed relief. To deal with such questions is entirely outside the scope of the present book, but a reference has been made, in a general manner, to the effect of the existing law upon the conduct of the populace. It remains evident, however, that the many evils which the Commissioners brought to light resulted from a short-sighted policy of endeavouring to prevent a national revolution by unlimited relief out of the rates. There remains a permanent record to the lack of understanding by the Georgian legislators of a domestic legislative principle founded by the 43rd Elizabeth, 1601. The results of their legislation gave an impetus to an increase of vagrancy, placed the loafer on the same social footing as the industrious workman, caused immorality to thrive, and made the whole burden of all digression from the moral and social code to fall with ever increasing harshness upon those who, in their own

sphere, would fain have faced the world with a true heart and an endeavour to live honest and upright lives.

In leaving this part of the question it is fitting that the opening words of the Commissioners' report should be recorded: "It is now our painful duty to report that the fund which the 43rd of Elizabeth directed to be employed in setting to work children and persons capable of labour, but using no daily trade, and in the necessary relief of the impotent, is applied to purposes opposed to the letter, and still more to the spirit of that law, and destructive to the morals of that most numerous class, and to the welfare of all."

### REFORMS SUGGESTED.

The Commissioners embodied in their report the following suggested reforms for the consideration of the Government—

(a) The reinforcement of the workhouse test in the case of relief to the able-bodied.

(b) The appointment of a Central Board to control Poor Law administration, to frame and enforce a uniform system of regulations as to relief, accounts, appointment and removal of officers, and provision of supplies by contract. Authority also to be given to the Board to alter the law of apprenticeship and to reform the Vagrancy Laws.

(c) Abolition of punishment of parents of illegitimate children, by enacting that the child should follow the settlement of its mother.

(d) Settlements to be abolished except by parentage, till children are sixteen; by marriage in the case of women; and by birth in all other cases (that is to say, the place of settlement to be the place where any person shall have been first known to have existed).

(e) The formation of Unions of parishes, as prescribed by the Central Board, for the purpose of providing a common workhouse for the district, but each parish to pay for its own poor and for the establishment charges of the house in proportion to the cost of its paupers.

### THE POOR LAW AMENDMENT ACT, 1834.

Without loss of time, the Government proceeded to give effect to the reforms suggested by the Royal Commission. On 17th April, 1834, Lord Althorp, Chancellor of the Exchequer and Leader of the House, introduced the new measure to the House of Commons. On the 9th May it passed the second reading by

299 votes to 20 votes, and on 1st July the third reading by 187 votes to 50 votes. No time was lost in bringing the measure before the members of the House of Lords, the task being entrusted to the Lord Chancellor (Lord Brougham). On 21st July it passed its second reading by 76 votes to 13 votes, and its third reading on 8th August, after various amendments had been considered and carried. On 13th August a conference of members of both Houses took place for the purpose of adjusting differences, and on 14th August, 1834, the measure received the Royal Assent. The 4th and 5th William IV, cap. 76, "For the Amendment and better Administration of the Laws relating to the Poor in England and Wales," is an Act considerably longer than the average; it contains 109 sections. The principal recommendations of the Commission were incorporated in the Act.

### THE NEW CENTRAL AUTHORITY.

The new Central Authority consisted of three Poor Law Commissioners for England and Wales, who were authorized to carry out the provisions of the Act. They were the Rt. Hon. Thomas Lewis, Sir John Shaw-Lefevre, and Mr. afterwards Sir George Nicholls. The Commissioners sat as a Board, and appointed Assistant Commissioners and other officers to carry out their instructions. The administration of relief according to the existing laws was subject to their direction and control, and they were authorized to issue orders and regulations for the government of workhouses and the guidance and control of guardians and vestries, as well as for the keeping and auditing of accounts and the preparation of contracts.

### LOCAL AUTHORITY.

Under their powers, which, with commendable foresight, were only gradually put into operation, the Commissioners divided the country into Unions by uniting parishes for general administration and for the building of workhouses. Where the parish was large and populous enough, it was to be controlled by a separate Board. Guardians were elected by the owners of property as well as the occupiers. Justices of the Peace residing in and acting for the county, riding, part or division in which the union was situated were Guardians *ex-officio*. But where under previous Acts, e.g. Gilbert's Act, 1782, an organization existed similar to that of Unions or Boards of Guardians, these were retained.

The following table shows the division of England and Wales at this time—

Act.	Division.	Number of Parishes.
Poor Law Amendment Act, 1834	585 Unions . . .	13,964
	20 Single Parishes . . .	20
Various Local Acts . . .	21 Unions . . .	320
	15 Single Parishes . . .	15
Gilbert's Act, 1782 . . .	12 Unions or Incorporations	200
	2 Single Parishes . . .	2
43rd Elizabeth, 1601. . .	89 Parishes (including the Scilly Islands as one parish) . . .	89
	618 Unions and 126 Single Parishes . . .	14,610

### LIVERPOOL SELECT VESTRY.

The Poor Law Amendment Act of 1834 did not take effect in Liverpool until 1841, when a Board of Guardians was appointed for the Parish of Liverpool ; but in the succeeding year a special Act of Parliament was applied for and obtained, which placed the administration of the Poor Laws in this parish in the hands of a Select Vestry, consisting of the rector, the churchwardens, and the overseers of the poor for the time being, and twenty-one elected members. This Act is the 5th and 6th Victoria, cap. 38, 30th June, 1842. The first section states that the persons so elected " shall be the Select Vestry for carrying into execution the provisions of this Act," and shall be styled " The Select Vestry of the Parish of Liverpool," and shall be deemed to be a board of guardians for the relief and management of the poor, and subject to the rules, orders and regulations of the Poor Law Commissioners." The Local Government Act of 1894 permitted the Select Vestry to retain its old title, but it is subject to the provisions of that Act. It was merged in the newly enlarged West Derby Union on the 1st April, 1922.

### CHANGES IN LEGISLATION.

The workhouse test was enforced gradually and carefully, and relief to the able-bodied, except in this form, was declared illegal. Outdoor relief might, however, be given, on the order of two Justices, to poor persons wholly unable to work through old age or infirmity. The old Bastardy Laws were repealed, and the mother became liable for the maintenance of her child by rendering

it illegal to pay to her any sums which the putative father might be compelled to reimburse the parish, and by requiring additional evidence to corroborate any charge against any person accused of being the father.

The Law of Settlement received consideration, and the most important changes were those in Sections 64 to 66, which repealed the settlement by hiring and service (which had prevented the free circulation of labour), or by residence under it, settlement by occupation of tenement without payment of rates, and by serving an office, or by apprenticeship to the sea service. Moreover, guardians might agree (subject to the Commissioners' approval) that all parishes forming the Union might be considered as one parish for the purpose of settlement.

### COMMISSIONERS' FIRST ANNUAL REPORT.

The reform had been slow to come ; it was quickly put into operation, and with what result ? The following statistics are

Counties.	No. of Unions	NO. OF PAUPERS RELIEVED.				Average Annual Expenditure Previous to Formation of Union.	Rate per cent of Saving.
		Indoor.	Outdoor.	Total.	Annual Expenditure under new Law.		
Buckingham .	5	514	6,421	6,935	36,669	79,758	54
Berks . . .	11	923	7,555	8,478	63,649	128,434	51
Kent . . .	21	2,597	20,416	23,813	118,292	241,726	51
Oxford . .	4	139	5,343	5,482	33,577	70,687	50
Bedford . .	6	682	5,792	6,474	42,427	83,532	49
Cambridge .	4	186	3,927	4,113	23,006	45,032	49
Dorset . .	9	326	4,862	5,188	27,262	53,372	48
Worcester .	2	65	1,750	1,821	7,304	13,628	46
Sussex . .	18	2,199	10,022	12,221	110,102	198,639	44½
Wilts . . .	15	1,003	14,872	15,875	78,089	139,917	44
Middlesex .	1	133	318	451	4,920	8,568	42½
Essex . . .	12	1,138	10,404	11,542	94,179	162,164	42
Northampton	10	319	9,906	10,225	60,829	104,927	42
Suffolk . .	12	1,423	13,572	14,995	123,236	205,571	40
Somerset . .	3	—	4,326	4,326	22,866	38,279	40
Herts . . .	10	1,464	4,634	6,098	50,654	84,480	40
Hants . . .	22	1,623	14,181	15,804	93,997	151,484	38
Lincoln . .	4	610	2,152	2,762	23,539	36,422	35
Gloucester .	9	579	3,093	3,762	22,046	32,699	32
Norfolk . .	5	51	6,576	6,627	36,844	53,124	31
Leicester . .	2	64	2,413	2,474	16,736	21,676	23
Devon . . .	5	15	1,888	5,564	42,832	52,980	19
TOTALS . .	190	16,053	154,423	175,030	1,133,055	2,007,199	43½

taken from the First Annual Report of the Commissioners. It must be remembered that the Unions herein mentioned were the first dealt with by the Commissioners, being the worst administered throughout the country, and, consequently, receiving first consideration.

The new Act was considered by its supporters a distinct improvement and it was claimed also that from the moral and social standpoint the principles of the Act were laid along the right lines. The pauperized labourer secured a more permanent demand for his labour at increased rates. Their industrious habits returned slowly to the working class community. Discontent gradually disappeared, and crime and violence diminished as a more healthy, social, and moral tone pervaded the working classes. In the words of an article in the *Edinburgh Review*, 1836, attributed to Mr. Nassau W. Senior, one of the members of the Royal Commission: "A spirit of improvement in local administration is now abroad. We trust that the efficiency of the Act may not continue to be abated by the interference of half-knowledge actuated by petty jealousies, but that those who devised the measure may be so far requited for their labour and conflicts that its principles may be followed out firmly and zealously, and all its capabilities for the public advantage fully developed." To what extent have these high hopes been fulfilled?

### THE PRINCIPLES OF THE ACT OF 1834.

The principles of the Act of 1834 may be said to be—

1. That only destitution should entitle an applicant to relief.
2. That in granting relief care should be taken not to make the situation of the recipient a more desirable one than that of the independent labourer of the lowest class.
3. That in regard to the able-bodied—
  - (a) No relief should be given in money.
  - (b) If set to work, one-half of the relief should be given in kind.
  - (c) No relief should be given by payment of rent.
  - (d) Relief to them and their families should be in the workhouse.
4. That the Poor Law administration should be entrusted to directly-elected *ad hoc* local authorities.
5. That there should be a central authority to supervise and guide the whole administration of the Poor Law with inspectors for that purpose.

## CHAPTER IV

### THE CENTRAL CONTROL

#### PRESENT ADMINISTRATION.

IN considering the present system of English Poor Law administration and the machinery whereby the work is carried out, it would be well to state upon what basis it is proposed to deal with this somewhat intricate subject.

In the first place attention must be directed to the central authority as the pivot upon which the whole administration turns; next, to the constitution and powers of the local authority, together with the officers who are the executive power behind the legislative councils; lastly, to the persons to whom relief is granted, and the methods of relief adapted to the peculiar circumstances of each case.

The administration of the English Poor Laws is uniform and the statutes are the least permissive of any local government law. It is the most closely controlled of any form of local government. Officers are appointed and paid by Guardians, and in certain cases the approval of the Minister of Health is required for appointment and dismissal. The Minister of Health may, however, dismiss any officer.

The Poor Law Commissioners of 1834 remained the central authority until 1847. The Commissioners held a somewhat exceptional position, which was from a constitutional point of view at least unusual, for they were neither represented in Parliament nor in the Ministry, and, therefore, no veto could be placed upon their proceedings, although there would be votes for the Department. When it was found that considerable improvement had been effected the Commission was abolished, and by the 10th and 11th Victoria, cap. 109, 1847, the Poor Law Board was formed, consisting of a President and four Cabinet Ministers, who were members *ex-officio*, viz., the Lord President of the Council, the Lord Privy Seal, the Home Secretary, and the Chancellor of the Exchequer. In this manner the procedure of the Board was brought into direct contact with Parliament and also with the constituencies, this being the first occasion since the recognition of Cabinet Government as the established system of British legislation. In course of time it was felt that Poor Law administration had become—so far as the central authority was

concerned—merely that of a supervisory body, and an advisory bureau. At the same time it was recognized that the general local administration of the country, particularly the rural districts, required more attention. The Sanitary Commission, 1868, strongly deprecated the existing inefficiency and uncertainty of the central authority and urged the necessity of a new statute to "constitute and give adequate strength to one central authority."

### FORMATION OF THE LOCAL GOVERNMENT BOARD.

With this end in view the Local Government Board was constituted by the Local Government Board Act, 1871 (34 and 35 Victoria, cap. 70). The Board consisted of a President, appointed by His Majesty, to hold office during his pleasure, and of the following *ex-officio* members: the Lord President of His Majesty's Privy Council, all the principal Secretaries of State for the time being (viz., the Secretaries of State for Foreign and Home Affairs, War, India, and Colonies), the Lord Privy Seal, and the Chancellor of the Exchequer. The Local Government Board could appoint in writing, with the sanction of the Treasury, such officers as they might determine, and all, with the exception of the *ex-officio* members, became salaried officers of the Crown. The President and one of the Secretaries were capable of being elected to and of voting in the House of Commons. The office of President did not necessarily carry Cabinet rank, this being determined more by the personal claims of that administrator than by the importance attached to the office.

### OBJECTS OF THE LOCAL GOVERNMENT BOARD.

The Local Government Board was formed to concentrate in one department of the State the supervision of the laws relating to the public health, the relief of the poor, and the local government of England and Wales. By its establishment the Poor Law Board ceased to exist. The new Board had vested in it, in addition, the powers of the Home Secretary in regard to the registration of births, deaths, and marriages, and returns as to local taxation, and the powers and duties of the Privy Council with regard to vaccination. Like the Board of Trade and the Board of Education, the Local Government Board followed the prevailing tendency and existed in name only. It was provided

that : " Any act to be done or instrument to be executed by or on behalf of the Local Government Board may be done or executed in the name of that Board by the President or by any member of the Board, or by a secretary or assistant secretary, if such secretary or assistant secretary is authorized to do or execute the same by any general order of the Board. A rule, order, or regulation made by the Local Government Board shall be valid if it is made under the seal of the Board and signed by the President or one of the *ex-officio* members of the Board and countersigned by a secretary or assistant secretary."

### MINISTRY OF HEALTH CONSTITUTED.

As the result of representations received from various bodies interested, and especially of the personal influence of the late Lord Rhondda, Parliament created a Ministry of Health. The object of the Ministry of Health Act, 1919, is to consolidate in one department, and under one Minister—

(a) All the powers and duties of the Local Government Board.

(b) All the powers and duties of the Insurance Commissioners and the Welsh Insurance Commissioners.

(c) All the powers of the Board of Education with respect to attending to the health of expectant and nursing mothers, and of children who have not attained the age of five years and are not in attendance at schools recognized by the Board of Education ; the medical inspection and treatment of children and young persons.

(d) All the powers of the Privy Council and the Lord President of the Council under the Midwives Acts, 1902 and 1918.

(e) Such powers of supervising the administration of Part I of the Children Act, 1908 (which relates to infant life protection), as have heretofore been exercised by the Secretary of State.

The Act also makes provision for bringing under the control of the Ministry of Health at future dates—

(f) The care of sick soldiers (now possessed by the Ministry of Pensions).

(g) The control of lunacy and mental deficiency which was effected by the transfer of the Board of Control from the Home Office in May, 1920.

(h) Any powers and duties of any Government Department which appear to relate to matters affecting or incidental to the health of the people.

The Act also empowers His Majesty, by Order in Council, to transfer from the Ministry of Health to any other Government Department any of the powers and duties of the Minister which appear to His Majesty not to relate to matters affecting or incidental to the health of the people. In pursuance of that provision, an Order in Council has been made entitled the Ministry of Health (Registration and Elections, Transfer of Powers) Order, 1921, which transfers to the Secretary of State the powers and duties exercised and performed by the Ministry of Health, as successors to the Local Government Board, under the Representation of the People Act, 1918. The Order came into operation in June, 1921.

The department controls the various local authorities by means of prescriptions of duties under statutes, by circulars of advice, by inspections, inquiries, statistical returns, and by audits. For this purpose it possesses a staff of inspectors and auditors. Inspectors have power to call witnesses and to hear evidence upon oath, while the auditors possess also the right to compel the attendance of persons, and the production of documents, as well as the right of surcharge in regard to any irregularity which they may consider to exist.

Consultative Councils were established on 14th July, 1919. The respective duties of these councils are to give advice and assistance on—

1. Medical and allied services.
2. National Health Insurance (Approved Societies' work).
3. Local health administration.
4. General health questions.

**THE GENERAL REGISTER OFFICE.** The Minister of Health is also responsible to Parliament for this Department, whose duty it is to control the registration of births, deaths and marriages in England and Wales, and the preparation of vital statistics. Each Poor Law Union is divided into districts, each with a Registrar appointed by the Superintendent Registrar of the District. This official is usually (but not always) the Clerk to the Guardians. It is the duty of the Superintendent Registrar to verify all entries of births, deaths, and marriages, and forward them quarterly to the Registrar-General. The Department is also responsible for the arrangements of the Census. The Department is under the control of an Assistant-Secretary in the Ministry, who is the Deputy Registrar-General of Births, Deaths, and Marriages.

**PUBLIC ASSISTANCE DIVISION.**

The work of the Ministry of Health is divided between Departments and Divisions. The Public Assistance Division, with which we are immediately concerned, includes a general supervision and control of the administration of the Poor Law, proceedings under the Unemployed Workmen Act, 1905, and the Old Age Pensions Act. Provision is made for the inspection of vagrant wards, workhouse schools, and the regulation of infirmaries. The Ministry may authorize the emigration to the colonies of orphan and deserted children. Its medical staff includes the inspectors and directors appointed to administer the Vaccination Acts. The Ministry of Health took over from the Home Office the administration of the Anatomy Acts, 1832 and 1871, as a matter deeply affecting, through the provision of practical trained medical men, the health and well-being of the nation. District auditors, appointed by the Ministry of Health, examine and audit the accounts of Board of Guardians, and are authorized to make disallowances and surcharges under the provisions of the General Order for Accounts of 14th June, 1867. It may sanction, after due inquiry by an officer of its staff, the raising of loans by Boards of Guardians for the purchase of land, the erection of workhouses, infirmaries, schools, and other works of a permanent character. It grants Provisional Orders for the constitution or the alteration of Unions and the division of civil parishes. It publishes periodical returns as to the prevalence and cost of pauperism, vaccination, local taxation, and the financial position of the local authorities of England and Wales. It sanctions the union of parishes and the division or alteration of any area of local government, and certifies the amount due from the County Councils under the Local Government (County Councils) Act, 1888, and the Local Authority (Emergency Powers) Act, 1916, in substitution for local grants for Poor Law purposes.

The Ministry of Health enforces its authority by Orders which may be of a general or of a local character ; by its inspectors who, in 1847, took the place of Assistant Commissioners, and by a systematic half-yearly audit of accounts of the local authority.

## CHAPTER V

### LOCAL CONTROL.—BOARDS OF GUARDIANS

#### POOR LAW|UNION.

THE Poor Law Union was created by the Poor Law Amendment Act, 1834. The expression " Poor Law Union " means any parish or union of parishes for which there is a separate Board of Guardians. The number of parishes in a Union depends entirely upon such considerations as area, density of population, local circumstances, and the like. A Union may consist of only one parish where the circumstances demand it, while in accordance with the clause of the Poor Law Amendment Act, 1834, before mentioned, where an organization existed previous to the passing of that Act, similar to that of a Union, these are retained. Such organizations are the Select Vestry, constituted under the Act of 1819 (59 George III, cap. 12), and Unions formed under " Gilbert's Act," 1782, to which reference has already been made.

As originally constituted, the Board of Guardians consisted of all county justices residing within the Union, sitting *ex-officio*; and, secondly, of guardians elected by the several parishes within the Union. The electors in each parish were the owners and ratepayers. In either case, the elector had any number of votes not exceeding twelve, one vote for every £50 rating, either as owner or as occupier. The qualification for a guardian ranged from £10 to £40 rating, according to the order of the Local Government Board. The guardians were elected in April, and held office for one year, unless the Board, with the consent of a majority of the ratepayers, decided that it should sit longer. By the Local Government Act, 1894 (56 and 57 Victoria, cap. 73), the constitution of the Board of Guardians was considerably altered. The present position may be defined as follows.

#### GUARDIANS.

The expression " guardians " means guardians elected under the Poor Law Amendment Act, 1834, and the Acts amending the same, and includes guardians or other bodies of persons performing, under any local Act, the like functions to guardians under the Poor Law Amendment Act, 1834. There are now no *ex-officio* or nominated guardians, but a Board of Guardians may

elect a Chairman or Vice-Chairman, or both, and not more than two other persons, from outside their own body, but only from persons qualified to be guardians of the Union. The number of guardians in each Board depends upon the size and population of the Union, but each constituent parish is entitled to one representative provided it has not less than 300 inhabitants.

### QUALIFICATION OF GUARDIANS.

A person shall not be qualified to be elected or to be a guardian for a Poor Law Union unless he is a local government elector of some parish within the Union, or has during the whole of the twelve months preceding the election resided in some parish in the Union, not necessarily in the parish for which he is a candidate, or unless, in case of a guardian for a parish wholly or partially situate within the area of a borough, whether a county borough or not, he is qualified to be elected a councillor for that borough, and no person shall be disqualified by sex or marriage from being elected or from being a guardian. Any elector of a parish, male or female, who has resided for the preceding twelve months within the parish, will be eligible for election, unless—

(a) During five years preceding the election he or she has been convicted for felony, fraud or perjury, or sentenced to imprisonment with hard labour, or has been made bankrupt or compounded with his or her creditors.

(b) He or she holds paid office under any Poor Law Union or is pecuniarily interested in any contract made with the Union.

The Representation of the People Act, 1918, removed the disqualification of persons in receipt of outdoor relief. A person who is an inmate or patient in any prison, lunatic asylum, workhouse, poorhouse, or in any other similar institution shall not by reason thereof be treated as resident therein for any purpose of the 1918 Act.

Section 10 of the Representation of the People Act, 1918, provides that a person shall, in addition to and without prejudice to any other qualification, be qualified to be elected a member of the local government authority for any local government electoral area if he is the owner of property held by freehold, copyhold, leasehold or any other tenure within the area of that authority.

In rural districts the guardians are not elected as such, but as Rural District Councillors ; but by reason of Section 24 of the

Local Government Act, 1894 (56 and 57 Victoria, cap. 73), it is provided that : " The district councillors for any parish or other area in a rural district shall be the representatives of that parish or area on the Board of Guardians, and when acting in that capacity shall be deemed to be Guardians of the Poor, and guardians as such shall not be elected for that parish or area."

### QUALIFICATION OF COUNCILLORS.

The qualification for a councillor of a borough is defined by the Municipal Corporations Act, 1882 (45 and 46 Victoria, cap. 50) as amended by the Representation of the People Act, 1918, as follows—

A person shall not be qualified to be elected or to be a councillor unless he is enrolled and entitled to be enrolled as a burgess ; and is seised or possessed of real or personal property or both, to the value or amount, in case of a borough having four or more wards, of one thousand pounds, and in case of any other borough, of five hundred pounds, or is rated to the poor rate in the borough, in case of a borough having four or more wards, on the annual value of thirty pounds, and in case of any other borough of fifteen pounds.

The County and Borough Councils (Qualification) Act, 1914 (4 and 5 George V, cap. 21), provides that notwithstanding anything in the Municipal Corporations Act, 1882, or any other Act, any person of either sex shall be qualified to be elected and to be a councillor of a borough council and may be nominated for election as a councillor, if that person has resided within the borough during the whole of the three months preceding the election.

### ELECTORS.

The local government electors of a parish shall be the electors of the guardians for the parish ; and, if the parish is divided into wards for the election of guardians, the electors of the guardians for each ward shall be such of the local government electors as are registered in respect of qualifications within the ward. Each elector may give one vote and no more for each of any number of persons not exceeding the number to be elected.

Section 9 of the Representation of the People Act, 1918,

provides that : " A person shall not be disqualified from being registered or from voting as a parliamentary or local government elector by reason that he or some person for whose maintenance he is responsible has received poor relief or other alms."

### QUALIFICATION OF ELECTORS.

**Local Government Electors.** The Representation of the People Act, 1918, has made a sweeping change in the qualification of electors so far as local government elections and the right to vote at any such elections are concerned, and (by the Sixth Schedule) these are substituted for any reference in any other Act to local government electors, county electors, burgesses, parochial electors, or other persons entitled to vote at a local government election, by whatever name called, and local government electors so registered shall for all purposes, whether statutory or not, be in the same position as any such local government electors, county electors, burgesses, parochial electors, or persons.

**Local Government Franchise : Men.** Section 3 provides that a man shall be entitled to be registered as a local government elector for a local government electoral area, if he is of full age and not subject to any legal incapacity, and—

(a) Is on the last day of the qualifying period occupying, as owner or tenant, any land or premises in that area ; and

(b) Has, during the whole of the qualifying period, so occupied any land or premises in that area, or, if that area is not an administrative county or a county borough any administrative county or county borough in which the area is wholly or partly situate ;

Provided that—

(i) For the purposes of this section a man who himself inhabits any dwelling-house, by virtue of any office, service, or employment, shall, if the dwelling-house is not inhabited by the person in whose service he is in such office, service, or employment, be deemed to occupy the dwelling-house as a tenant ; and

(ii) For the purpose of this section the word " tenant " shall include a person who occupies a room or rooms as a lodger only where such room or rooms are let to him in an unfurnished state.

**Local Government Franchise : Women.** Section 4 (3) provides that a woman shall be entitled to be registered as a local

government elector for any local government electoral area—

(a) Where she would be entitled to be so registered if she were a man ; and

(b) Where she is the wife of a man who is entitled to be so registered in respect of premises in which they both reside, and she has attained the age of thirty years and is not subject to any legal incapacity.

For the purpose of this provision, a naval or military voter who is registered in respect of a residence qualification which he would have had but for his service, shall be deemed to be resident in accordance with the qualification.

**The Qualifying Period.** The “ qualifying period ” referred to in the Act is defined by Section 6 as a period of six months ending either on the 15th day of January, or the 15th day of July, including in each case the fifteenth day—

Provided that in the application of this section to a person who is a naval or military voter, or who has been serving as a member of the naval, military, or air forces of the Crown at any time during the said six months and has ceased so to serve, one month shall be substituted for six months as the qualifying period.

## ELECTION OF GUARDIANS.

The election, in the case of a contest, is by ballot according to the Statutory Rules and Orders of the Ministry of Health, and subject to the provisions of the Ballot Act, 1872 (35 and 36 Victoria, cap. 33), the Municipal Corporations Act, 1882 (45 and 46 Victoria, cap. 50), and the Municipal Elections (Corrupt Practices) Act, 1884 (47 and 48 Victoria, cap. 70), so far as they relate to the requirements of the election. The returning officer is the Clerk to the Guardians for the Union. The term of office of a guardian is for three years, and one-third, as nearly as may be, of every Board of Guardians shall go out of office on the 15th day of April in each year, and their places shall be filled by the newly elected guardians. This also applies to the election of Rural District Councillors, who, as before mentioned, are by virtue of their office as councillors, members of the Board of Guardians for the Union within which the district for which they are elected is situated. The County Council, on application by the Board of Guardians, may issue an Order for the whole of the Board to retire every three years.

## CHAPTER VI

### DUTIES OF BOARDS OF GUARDIANS

#### CONSTITUTION.

A BOARD of Guardians is a corporate body having perpetual succession, possessing a common seal, and may sue and be sued, and can take and hold land without licence in mortmain (the permission given for land to be held perpetually in the corporation).

Each Board is distinguished by a certain name, taken either from the parish or when it includes more than one, from the principal parish within its boundaries, or by such name as shall prevent any wrong description or identification. The full title of each Union is "The Guardians of the Poor of the — Union (or of the Parish of —) in the County of —." The principal duty of the Board of Guardians is to administer the Poor Laws within the Union or Parish over which it has control. In addition to these duties the guardians appoint and pay the Registrars of Births and Deaths, who are the officers appointed to administer the Registration of Births, etc., Act, 1874 (37 and 38 Victoria, cap. 88). The Registrars of Marriages are appointed by the Superintendent Registrars. The guardians also enforce the provisions of the Vaccination Act, 1867 (30 Victoria, cap. 84), and its subsequent amendments, and outside the Metropolis they are responsible for the execution of the powers of the Infant Life Protection Act, 1897 (60 and 61 Victoria, cap. 57), now Part I of Children's Act, 1908. Prior to the passing of the Education Act, 1902, the Board of Guardians, in rural districts where there were no School Boards, appointed from its members the School Attendance Committee, for the purpose of the Elementary Education Acts, 1876 (39 and 40 Victoria, cap. 79) and 1880 (43 and 44 Victoria, cap. 23). The guardians appoint from their number not less than six nor more than twelve members to form a special committee, known as the Union Assessment Committee, in accordance with the provisions of the Union Assessment Committee Act, 1862 (25 and 26 Victoria, cap. 103) and its subsequent amendments.

#### MEETINGS AND COMMITTEES.

The Board of Guardians generally hold their meetings fortnightly, but since the War broke out monthly meetings have been the rule in big Unions. An extraordinary meeting may be called on the requisition of the Chairman and an agreed number of members. Like most Local Government authorities, it does its principal work in committee. The Relief Committee

considers each case upon the report of the Relieving Officer, and the applicant may be called upon to appear in person. The various institutions are also under the control of separate committees. By the Local Government Act, 1894, it is provided that if a member of a Board of Guardians is absent from meetings of the Board for more than six months consecutively, except in case of illness or for some reason approved by the Board, his or her office shall on the expiration of those months become vacant ; and a person disqualified from being a guardian shall also be disqualified from being a rural district councillor. The Board of Guardians have power to co-opt four members, viz., Chairman, Vice-Chairman, and two members.

The work of administering relief is of considerable difficulty, as may readily be understood when it is remembered that to carry out their duties efficiently the guardians have to be familiar with the requirements of upwards of 350 Acts of Parliament, over 5,000 decisions of the Law Courts, as well as general and particular Orders of the Ministry of Health, which, in themselves, represent a substantial addition to any law library. In this they are assisted by the digests and handbooks on the subject, as well as the knowledge of a staff of permanent officials.

### SUPERVISION OF INSTITUTIONS.

The Board of Guardians supervise the management of Poor Law Institutions, separate Infirmaries for the sick, District Schools, Scattered and Cottage Homes, and Epileptic Colonies, and other institutions for the purpose of poor relief. The obligation devolves upon the guardians to bury, under certain circumstances, the unclaimed dead. They appoint the various officers for the purpose of carrying out the work which devolves upon them, subject to the confirmation of the Ministry of Health. With the exception of some of the principal officers the guardians have full powers of appointment and dismissal. There is no confirmation of appointment now necessary but the remuneration cannot exceed certain limits. The guardians are expected to visit personally the institutions under their control, and to report upon any apparent irregularity or neglect of duty which may be brought to their notice. The guardians decide upon the kind of relief to be given in each particular case ; and, in the conduct of the institutions, must see that the inmates perform their task-work. In order to give the guardians every facility for becoming familiar with the requirements of the Poor Law

legislation, and to enable them to keep abreast of the times, they are permitted, by the Poor Law Conference Act, 1883, to attend conferences for the discussion of matters connected with their duties, and to charge the cost of same upon the Common Fund of the Union.

### APPOINTMENT AND REMUNERATION OF OFFICERS.

In the matter of the appointment and remuneration of officers, the practice has been that all appointments of principal officers of a Poor Law authority are reported to the Ministry of Health for approval, as are all changes in the amount of their remuneration. For the future the Minister proposes to discontinue reports on individual appointments and to confine himself to the general oversight of expenditure on salaries which, strictly speaking, is all that is required by the legislation. In future, therefore, it will not be necessary that the authority should, as hitherto, submit to the Minister particulars of a new appointment, and the approval given by the Minister or his predecessors to the remuneration at present paid in respect of any office may be understood to continue to be operative, notwithstanding the occurrence of a vacancy and a consequent new appointment to the office.

For the financial year 1922-23 each Poor Law authority should submit a single statement covering the remuneration proposed to be paid during the year to all of their officers whose salaries require sanction. After examination of the statement the Minister will approve the payments of amounts not exceeding those scheduled, with or without modification, and the Guardians will then be in a position to pay salaries within this limit without further reference to the Minister, notwithstanding any changes among the officers. Nothing in this procedure will affect an officer's security of tenure or other conditions of service prescribed either by the regulations in force or by terms of his appointment. It will not, for example, be competent to a Poor Law authority to dismiss a principal officer without the consent of the Minister.

In the matter of reference to Inspectors, the Minister points out that there is a large class of cases in which time would be saved by the Guardians' official application being addressed in the first instance to the General Inspector. Such matters as the making of inexpensive structural alterations, which will be paid for out of revenue, the hiring of premises required for Poor Law purposes, the resignation of individual Guardians, and other questions of a routine nature, could conveniently be dealt with in this way.

## CHAPTER VII

### OFFICERS OF THE BOARD OF GUARDIANS

THE principal officers of a Board of Guardians are the Clerk, the Relieving Officer, the Master of the Institution, the Matron, the Medical Officers, the Superintendent Nurse, and the Chaplains of the Institution. In addition, staffs are maintained at the various institutions and establishments under the control of the guardians, as well as at the offices of the Union. It is provided by Section 28 of the Poor Law Amendment Act, 1834, that : " No person shall be eligible to hold any parish office, or have the management of the poor in any way, who shall have been convicted of felony, fraud or perjury, or of purloining, embezzling or wilfully wasting or misapplying any of the moneys, goods, or chattels of the Union."

### CLERK TO THE GUARDIANS.

The Clerk to the Guardians is an important official, and a really capable officer can in that capacity do much to render the administration of his Union efficient and effectual. He should be able to give legal advice upon all questions brought to the notice of the Board, and for this reason should have had a legal training or have made a study of Poor Law legislation. The Clerk to the Guardians is the chief official of the Union, and has the custody of the common seal. The Clerk attends all meetings of the Board, and acts as secretary at their meetings and otherwise. He has the custody of the deeds, records, and other documents of the Board, and is responsible to the Ministry of Health for the execution of all orders which it from time to time issues for the instruction of the Boards of Guardians in general, or such orders as apply to that particular Union. In the event of no decision being made with regard to any question brought before the Board affecting any matter within its jurisdiction, the Clerk submits the case to the Ministry of Health for its consideration. The Clerk makes all returns required by the Ministry of Health as to the number and classification of paupers and the cost of relief. He acts as Returning Officer for the purpose of elections to the Board ; and in cases where the Union includes rural districts, he acts in like capacity at elections to the Rural District Councils. He is often Clerk also to

the Rural District Councils within the Union, and prepares the statistics respecting the work of such councils. As Clerk to the authority for the district of the Union for the purpose of the Vaccination Acts he makes arrangements for the execution of these Acts. He is Clerk also to the Union Assessment Committee, which investigates and supervises the valuations made by the overseers for the purpose of levying the rate, and controls the administration of such Acts as may from time to time devolve upon the respective Boards of Guardians. In some Unions he is also Superintendent Registrar for Births, Marriages, and Deaths.

### THE RELIEVING OFFICER.

In many respects, the position of Relieving Officer is of equal importance to that of the Clerk. He is an official who, either by strict and conscientious adherence to his duties on the one hand, or by negligent and careless performance of his work on the other, may render the administration of the Poor Laws effective or detrimental to the best interests of all parties. The qualifications for the position of Relieving Officer have been laid down by the Ministry of Health under articles issued by them as follows : " No person shall hold the office of Relieving Officer who has not reached the age of twenty-one years, nor unless he is able to keep accounts, nor unless he reside in the district for which he may be appointed to act. He must devote his whole time to the duties of his office, and abstain from following any trade or profession, and from entering into any other service." It is provided, however, that the guardians may, with the consent of the Ministry of Health, previously obtained, but not otherwise, dispense with any of the conditions specified, except that which relates to the question of the age of the officer.

The Ministry of Health issued on the 25th March, 1912, a circular to Boards of Guardians in which it states that it will not sanction the appointment of any person to the post of Relieving Officer without previous experience of similar duties, unless it is clear that no suitable candidate is available who has either had experience as a Relieving Officer or in some other capacity has attained qualifications fitting him for the office.

The duties obviously require in a special degree the qualities of sympathy, firmness and tact.

The Relieving Officer is the person through whom all applications

for relief must come, and in this respect he stands in relation to persons applying for relief as the representative of the Board of Guardians during the interval between its meetings. In this connection he may give orders for relief in kind, and may also order medical attendance. He is subject, however, to surcharge or disallowance of any item in his accounts by the District Auditor, appointed by the Ministry of Health, in pursuance of the District Auditors Act, 1869. In this respect his position is anomalous in that *he*, and not the guardians, is surcharged. The Relieving Officer attends the meetings of the Relief Committees submitting, for the consideration of the members, his Case Paper Records in accordance with Article V of the Relief Regulation Order, 1911, described in Chapter IX. In certain of the larger Unions the exigencies of the work demand the appointment of a Superintendent Relieving Officer.

#### DUTIES OF RELIEVING OFFICER.

The Duties of the Relieving Officer are defined by Article 215 of the General Order (Consolidated), 24th July, 1847.

The Board looks to the Relieving Officer for an expression of opinion as to the class of relief best suited to the peculiar circumstances of each applicant ; and the guardians depend upon him for a clear statement respecting the condition, resources, character, and actual circumstances of the applicant, and also whether he or she is able-bodied or not. When the Board has decided upon the class of relief, the Relieving Officer must take the necessary steps to carry out the instructions of the guardians. If home assistance or outdoor relief be granted, the case must be entered on the domiciliary relief list, and all persons on such list must be visited by the Relieving Officer at proper intervals, and any alteration in the circumstances of the recipient carefully noted and reported to the guardians at the next meeting of the Board. The Relieving Officer must pay all allowances to the poor out of such sums of money as shall have been entrusted to him, and must keep in a prescribed manner an account of all sums received and paid by him in his Receipts and Expenditure Book, provided for the purpose. As the officer appointed under the Lunacy Consolidation Act, 1891 (53 Victoria, cap. 5), he has work entrusted to him requiring the display of tact, resourcefulness, and discrimination. In short, the Relieving Officer who would do his duty with satisfaction must be conversant

with the Acts of Parliament and Orders of the Ministry of Health governing his duties. He must understand the Law of Settlement and Removal, and the principles governing Home Assistance or Outdoor Relief, and Institutional or Indoor Relief. He should be acquainted with the Bastardy, Elementary Education, Lunacy, Mental Deficiency, and Vagrancy Acts, and the numerous Orders of the Ministry of Health relating to boarding-out, medical relief of all kinds, the outdoor labour test, and other Orders of a similar character. The Relieving Officer must be familiar with the provisions of the Relief Regulation Order, 1911, the Old Age Pensions Acts, the National Health Insurance Acts, the Unemployment Insurance Acts, and with the procedure of a Court of Summary Jurisdiction.

### THE MASTER.

The Master of the Institution or Workhouse, with whom also is associated the Matron of that institution, receives his instructions from the Board of Guardians, or such Committee of the Board as may be appointed for the control of the workhouse. He reports as to the number of inmates, their condition, and any breach of, or irregularities in the working of, the orders by which he is governed. He must see to the proper classification of the inmates, and to the provision of the meals in accordance with the Orders of the Ministry of Health; and must also see that the inmates carry out their task-work. The Master must also receive any child brought into the Institution under any order made in pursuance of Part I of the Children Act, 1908, before referred to, and must retain possession of such child until other arrangements may be made for its maintenance.

The Poor Law Institutions Order, 1913, consolidates all the Orders of the Ministry of Health relating to institutions, and is now the basis of government of Union Institutions. The Master must see (*in conjunction with the Medical Officer*) to the proper classification of the inmates, and to the provision of meals as provided by the Poor Law Institutions (Dietaries) Order, 1920.

It is competent for the Master to admit, in pursuance of Part IV of the Children Act, 1908, children or adults remanded by the Courts, provided an arrangement has been entered into between the guardians and the Police authorities, with the consent of the Ministry of Health.

It is the duty of Police authorities, under Section 108 of the Children Act, 1908, to provide Places of Detention to which children under 14 will be sent who are remanded or committed for trial or sentenced by a Court, and also young persons between 14 and 16, unless their character is so unruly or depraved as to make detention in prison necessary. Children and young persons who are committed will not, however, be committed to a Place of Detention, except when no other method of dealing with the case is suitable, and the detention under sentence cannot exceed one month.

Lord Gladstone, a former Secretary of State, has given it as his opinion that Places of Detention should not be commonly used as places of punishment for youthful offenders who have been convicted, but chiefly for those on arrest, under remand, or waiting trial; that whenever it is possible children or young persons who commit offences should be dealt with by other methods and that it should be an exceptional thing to find convicted offenders among the children in a Place of Detention.

These cases of Juvenile Offenders, for whom special accommodation is required, must be distinguished from the cases of children brought under the Act to the Workhouse as a Place of Safety, who are treated as ordinary pauper children.

### **MEDICAL OFFICERS, ETC.**

The Medical Officers of the Union are those appointed for the administration of outdoor medical relief and for the medical and surgical work within the institutions or infirmaries within the Union. The duties of the Chaplains of the workhouses, and of the Schoolmasters, do not require any special reference, falling as they do within the letter of the title of the positions which such officers hold.

The duties of the principal officers of the Institution are laid down by the Poor Law Institutions Order, 1913, and half-yearly reports on their work are required on the 1st January and 1st July of each year from the Medical Officers, Chaplains, Master, and Schoolmaster.

### **SUPERANNUATION OF OFFICERS.**

The Poor Law Officers' Superannuation Act, 1896, provides a compulsory scheme on a contributory basis of 2 per cent on the value of salary and emoluments, applicable to all Poor Law

Officers with the exception hereafter mentioned. It took the place of the Superannuation (Union Officers) Act, 1864, and all serving officers at the time of the passing of the 1896 Act were eligible to come within its provisions if so desirous.

The maximum superannuation payable is 40/60ths of the average salary for the last five years of service, and no person under the age of 65 (unless being 60 years of age and having forty years' service) may claim a superannuation allowance unless unable to perform the duties of his or her office by reason of permanent infirmity of mind or body and having not less than ten years' service.

The Poor Law Officers' Superannuation Act Amendment Act, 1897, empowered female nurses (which term includes any assistant nurse or attendant on the sick or insane) appointed after the passing of the Act of 1896 to contract out of the provisions of the Poor Law Officers' Superannuation Act, 1896, by giving the required notice.

## CHAPTER VIII

### PRINCIPLES AND METHODS OF RELIEF

THE principles of poor relief under the Poor Relief Act, 1601, and the Poor Law Amendment Act, 1834, have been considered in Chapter III. These may, however, be further considered from the point of view of settlement and chargeability.

#### SETTLEMENT.

The principle of settlement is a factor in any decision arrived at in regard to any application for relief, and is of importance in so far as careful inquiries have to be made into it by the permanent officials on behalf of the Board of Guardians. The question as to whether or not a person is legally liable for removal from the Union is only secondary to the granting of relief, which is unaffected by any such consideration. The grounds upon which relief may now be claimed from any parish may be stated as follows—

1. **Birth.** All persons are *primâ facie* settled in the parish in which they are born.

2. **Parentage.** In the case of a child under 16 years of age, if it be proved that his father, or (if he is dead) his widowed mother, has or had a settlement in another parish, then such settlement is in that parish. Illegitimate children take the settlement of their mother until they are 16 or have obtained one for themselves.

3. **Marriage.** A married woman takes the settlement of her husband, but if he has none, then she retains her own before marriage.

4. **Ownership of Property.** In the case of a person owning property in a parish such ownership constitutes a settlement, but only so long as the claimant resides within ten miles of the parish.

5. **Occupation of Property.** The occupier of any tenement rated at a yearly value of £10 secures a settlement in the parish within which the premises are situated, provided one year's payment of the poor rate has been made in respect of the qualifying tenement.

6. **Apprenticeship** under a deed to any trade, except the maritime service, followed by a residence of forty days within the parish under the agreement, constitutes a settlement.

**7. Residence.** After a voluntary residence in a parish for a period of one year, a person cannot be removed under the Poor Removal Act, 1846, as amended by the Union Chargeability Act, 1865. After a voluntary residence of three years a person is considered to have acquired a settlement.

It is upon this basis that a person becomes chargeable upon any parish, and until the Settlement Officer can prove to the satisfaction of the Board of Guardians that the liability of maintenance can be charged to some other Union, then that Board is compelled to maintain the person who claims such settlement. In any case, the Board cannot refuse relief which may be of a temporary character only.

### IRREMOVABILITY.

Residence one whole year, whether in one or several parts without interruption or relief, constitutes irremovability (Acts 1846, 1862, and 1866).

The following cannot be removed—

1. Widow in first year of widowhood.
2. Deserted wives within one year of desertion without relief.
3. Children under 16 years of age from parents or guardians. Orphans acquire parents' settlement.
4. Persons chargeable through temporary sickness or accident.

### ACQUIRED SETTLEMENT.

1. Residence for forty days and—

(1) Renting land or dwelling of £10 assessment.

(2) Apprenticeship under indentures.

(3) Payment of taxes on £10 assessment.

(4) Possession of estate over £30 and residence within ten miles. Under £30 only so long as resident.

2. Relief given is acknowledgment of settlement, but not evidence of it.

3. By residence for the term of three years under such circumstances in each year as would render him irremovable (Divided Parishes Act, 1876).

### DERIVATIVE SETTLEMENT.

The Divided Parishes and Poor Law Amendment Act, 1876, provides that no person shall be deemed to have derived a settlement from any other person, whether by parentage, estate, or

otherwise, except in the case of a wife from her husband, and in the case of a child under the age of 16, which child shall take the settlement of its father or widowed mother, as the case may be up to that age, and shall retain the settlement as taken until it shall acquire another. An illegitimate child retains the settlement of its mother until such child acquires another settlement. (Others were abolished by Divided Parishes Act, 1876.)

### ORDER OF REMOVAL.

An Order of Removal must be made by two Justices of the Peace of the division where the person chargeable shall have come to inhabit. The Removal Order is made upon the complaint of the Guardians of the Poor. The Order must be directed to the guardians of the complaining union and also to the guardians of the union to which the pauper is to be removed. The pauper must be named in the Order, which must state the reason for removal. Appeal against an Order of Removal must be made within twenty-one days, and the case is heard in the King's Bench Division of the High Court of Justice.

### CLASSES OF PAUPERS RELIEVED.

No definite enumeration of the classes of individuals to whom relief is administered can be given with any degree of accuracy, but it may be stated that such relief is administered to the following classes of paupers, viz.—

1. The impotent who suffer through no fault of their own, including—

(a) The constitutionally infirm, e.g. the blind.

(b) Imbeciles of different kinds.

(c) Fatherless children, whether orphans, or deserted, or illegitimate.

2. The impotent who might have done better for themselves if they had exercised forethought or virtue, including—

(a) The aged who, through want of forethought, have made no provision for advancing years.

(b) The permanently sick in early life.

(c) Unmarried occupants of the maternity wards of the workhouse infirmaries.

3. The able-bodied who, having some ostensible means of gaining a living, are in receipt of relief, including—

(a) Paupers from want of employment, through no fault of their own.

(b) Paupers through lack of employment consequent upon temporary illness.

(c) Those who are in receipt of a wage, regular or irregular, which is insufficient to provide the necessities of life for their families.

4. The able-bodied who prefer a life of idleness and licentiousness to one of industry and respectability, including—

(a) Mendicants who adopt a professional system of begging alms either within a certain town or area ; or

(b) Vagrants who wander through the country begging, or adopting other illegal means of maintaining an existence.

### **UNION CHARGEABILITY ACT, 1865.**

The principle of relief founded by the 43rd Elizabeth, 1603, and re-stated by the Poor Law Amendment Act, 1834, remains to this day. There is one Act, however, which demands consideration, and that is the Union Chargeability Act, 1865 (28 and 29 Victoria, cap. 79). The establishment of the workhouse system, and the re-enactment of the Law of Settlement had led to the overburdening of certain parishes, causing a general inducement to the landowners and owners of property to drive away the poor before they could obtain a settlement in a parish. The measure, for which Mr. C. P. Villiers was responsible, enacted that the funds of any Union were to be used for the maintenance and relief of the poor within that Union, irrespective of the parish to which the pauper belonged. In this manner the parochial system was again broken through. Reference has already been made to the establishment of the Union—comprising, as a rule, more than one parish—empowered to construct a workhouse. Now the principle of equalization of cost was carried a step further, and the funds for Poor Law purposes within the Union were distributed within the boundaries of that district.

### **THE CHARACTER OF RELIEF.**

The character of relief depends upon the decision of the Board of Guardians after hearing the report of the Relieving Officer, but is governed by the orders and instructions of the Ministry of Health.

The relief may comprise in-maintenance or institutional relief or indoor relief (as distinct from maintenance of pauper lunatics), or out-relief or domiciliary aliment, also known as home assistance.

*In-maintenance* is defined as consisting of all expenses incurred in and about the maintenance, treatment, and relief of the paupers in workhouses and other Poor Law institutions under the control of Poor Law Guardians and the managers of the Metropolitan Asylum Districts and other asylums and school districts, exclusive of the cost of buildings and repairs thereto, and furniture and the salaries or other remuneration, rations and superannuation allowance of the officers and servants ; but inclusive of charges for apprentice fees, outfits, burials, and the necessary expense incurred in warming, cleansing, and lighting the institutions, and otherwise keeping them fit for daily use. The cost of the maintenance of vagrants in the vagrant wards is also included under this head.

*Out-relief* represents the charges for all relief, whether given in money or kind, to paupers relieved otherwise than in workhouses and other institutions, such as are mentioned above, together with school fees, schooling, and other expenses incurred with respect to such paupers ; but exclusive of the salaries, etc., of the officers, the charges for relief stations, and the expenditure on the maintenance of lunatics in county and borough asylums, registered hospitals, and licensed houses. The maintenance of lunatics in county and borough asylums, registered hospitals, and licensed houses comprises the charges made by the asylum and other authorities for the support of insane paupers chargeable to the poor rates.

## CHAPTER IX

### OUTDOOR RELIEF, HOME ASSISTANCE OR DOMICILIARY ALIMENT, THE RELIEF REGULATION ORDER, 1911

#### UNIFORMITY OF OUTDOOR RELIEF.

THE principal order of the Ministry of Health governing relief was the Outdoor Relief Prohibitory Order, dated 21st December, 1844, which was rescinded by the Relief Regulation Order, 1911. The last-named order came into operation on the 31st March, 1912, as the result of the recommendation of a Departmental Committee, appointed by the President of the Local Government Board, to inquire and report as to what amendments should be made in the Orders issued by the Poor Law Commissioners, the Poor Law Board, and the Local Government Board relative to the administration of Outdoor Relief in England and Wales. The appointment of the Committee was due to the recommendation of the Royal Commission on the Poor Law and Relief of Distress, which reported in 1909 that there should be one uniform

**Order Governing Outdoor Relief.** In response to these demands Mr. John Burns appointed a Departmental Committee to go into the matter, and the Committee reporting in December, 1910, issued a draft Order. This draft was before the country for twelve months, during which time it was subjected to close examination by the Association of Poor Law Unions, by individual Boards of Guardians, and by many persons who take an intelligent interest in Poor Law affairs. In the light of the criticisms offered by these bodies and persons, Mr. Burns somewhat modified the draft and it was then issued as the Relief Regulation Order, 1911.

**The Relief Regulation Order, 1911,** provides, by Article II, that : " Except as hereinafter provided the Guardians of a Poor Law Union shall not afford relief other than institutional relief to any person who is within the Union ; and institutional relief shall only be afforded to such person together with such of his family as may be resident with him and dependent on him for support."

Nothing in this article shall apply in the cases of—

(i) A person requiring relief on account of sickness or accident, or bodily or mental infirmity (whether arising from old

age or otherwise) affecting the person or any of his family who is dependent on him for support.

(ii) A person requiring relief for the purpose of defraying the expenses of the burial of any member of his family.

(iii) A widow having no illegitimate child born after the commencement of her widowhood.

(iv) A married woman living separate from her husband. Provided that in the case last mentioned all relief given to the woman, or to her child, shall be given to the woman in the same manner and subject to the same conditions as if she were a widow.

**Weekly Relief.** Except so far as the Board otherwise directs in any case in which relief other than institutional relief or medical relief is given, the relief shall be administered weekly, or more frequently as may appear expedient to the guardians ; no order for the grant of such relief can be made for a period exceeding fourteen weeks.

## THE CASE-PAPER.

ARTICLE V.—(1) In every case in which an application is made for relief—

(a) Particulars of the case shall be recorded in a separate document (hereinafter referred to as “ the case-paper ”) which shall contain all available information relating to the several matters mentioned in the schedule to this order, and to such other matters as the guardians determine :

(b) The case-paper shall be provided by the guardians, and shall be filled up by the Relieving Officer or by such other officer as the guardians direct :

(c) The case-paper shall be laid before the guardians on each occasion on which the case is considered by them :

(d) Before the case-paper is so laid before the guardians, the Relieving Officer or such other officer as aforesaid shall take such steps as may be necessary to verify and bring up to date the information contained in the case-paper :

(e) Particulars of any relief afforded in the case, and any decision of the guardians on the case, shall be noted on the case-paper.

(2) The guardians shall make such arrangements as may be necessary for preservation of case-papers, under the supervision of their clerk, in such a manner that each particular case-paper

may at any time be readily accessible ; and the clerk shall, on the request of the district auditor, produce, or cause to be produced, to the auditor any case-papers which may be required by him.

(3) The Board may, in any case in which the circumstances of a Poor Law Union render it desirable that arrangements other than those prescribed in this article be made in regard to the method of keeping the case-papers hereby required, sanction in respect of that Union such a departure from the regulations contained in this article as may seem to them expedient.

(4) Nothing in this article shall be deemed to require the use of a case-paper in the case of any person so long as he is receiving relief as a casual pauper.

#### **SCHEDULE : HEADINGS OF INFORMATION TO BE CONTAINED IN CASE-PAPER.**

1. Name, age, address and condition as to marriage of—
  - (a) Applicant.
  - (b) Members of applicant's family resident with him and dependent on him for support.
  - (c) Relative liable to contribute.
2. Date, nature, and cause of application.
3. Particulars as to home of applicant.
4. Length of applicant's residence in the Poor Law Union.
5. Occupation, earnings, and other income of—
  - (a) Applicant.
  - (b) Members of applicant's family and relatives residing with applicant.
  - (c) Other relatives liable to contribute.

#### **RESTRICTION OF OUTDOOR RELIEF.**

ARTICLE VII. It shall not be lawful for the guardians, or any of the officers to pay wholly or in part the rent of the house or lodging of any pauper, or to apply any portion of the relief ordered to be given to any pauper in payment of any such rent, or to retain any portion of that relief for the purpose of directly or indirectly discharging any such rent, in full or in part—

Provided that nothing in this article shall apply to any shelter or temporary lodging procured in any case of sudden and urgent necessity, or shall be taken to prevent the guardians in regulating the amount of relief to be afforded to any person, from considering

the expense that will during the period for which relief is given be incurred by him in providing lodging.

ARTICLE VIII. It shall not be lawful for the guardians or any of their officers—

(a) To establish any applicant for relief in trade or business, or

(b) To redeem from pawn for any applicant for relief any tools, implements, or other articles, or

(c) To purchase for or give to any applicant for relief any tools, implements, or other articles, except such articles as are included in the expression "relief in kind," or

(d) To give money to or on account of any applicant for relief for the purpose of effecting any of the objects mentioned in this article.

### DISCRETIONARY POWERS.

ARTICLE XII. If the guardians shall upon consideration of the special circumstances of any particular case, deem it expedient to depart from any of the regulations hereinbefore contained (other than the regulations contained in Articles VII and VIII), and within twenty-one days after the departure, report the same and the grounds thereof to the Board, then if—

(a) The relief given shall have been relief in kind afforded in a particular instance of emergency; or

(b) The relief shall not have been given after notice from the Board disapproving thereof; or

(c) The Board approve of the departure, the relief granted shall if otherwise lawful not be deemed to be unlawful or be subject to be disallowed.

### LABOUR TEST.

ARTICLE IX.—(1) The guardians may, after not less than three clear days' notice of the proposal has been sent by the clerk to each guardian and to the Board, pass a resolution to the effect that it is expedient, on account of exceptional circumstances, to exercise for a period not exceeding three months specified in the resolution the powers referred to in Article X, or in Article XI, or in both those articles, as the case may be. A copy of the resolution, and a full statement of the exceptional circumstances existing in the case, shall be forwarded to the Board, and the powers referred to in the resolution shall thereupon, subject to

the provisions of sub-division (4) of this article, be exercisable by the guardians during the period so specified.

ARTICLE X. During the period specified in a resolution referring to the powers of this article and subject to the provisions of sub-division (2) of Article IX—

(1) The guardians may notwithstanding anything contained in Article II, afford relief other than institutional relief to the wife and family of any person to whom relief is afforded in an institution.

(2) A person to whom relief is afforded in a workhouse while his wife and family are receiving relief other than institutional relief shall not be absent from the institution on any occasion without the consent of the guardians given for that occasion.

Provided that the guardians may delegate to the Master of the institution the power of giving such a consent on their behalf in accordance with regulations approved by the guardians.

ARTICLE XI. During the period specified in a resolution referring to the powers of this article and subject to the provisions of sub-division (2) of Article IX—

(1) The guardians may, notwithstanding anything contained in Article II, afford to a male person relief other than institutional relief upon the following conditions ; that is to say—

(i) The person shall be set to work by the guardians and kept employed by them ;

(ii) One-half at least of the relief given to the person shall be relief in kind ;

(iii) No person shall receive relief under this article while he is employed by any person for wages or other hire or remuneration ;

(iv) An order for the grant of relief under this article shall not be made for a period exceeding two weeks.

(2) The guardians shall submit to the Board with the resolution a statement showing the place or places at which persons relieved under this article are to be set to work, the nature of the work in which those persons or any of them are to be employed, the times and mode of work, the scale of relief, and all such other matters relating to their employment as the guardians deem material to be communicated to the Board, or as the Board may require.

The guardians shall inform the Board of any change which they may propose to make with regard to any of the matters

mentioned in the said statement, and shall afford to the Board any further information with regard to those matters which the Board may require at any time during the period specified in the resolution.

## OUTDOOR RELIEF APPLICATIONS.

In dealing with applications for outdoor or domiciliary relief, the principle adopted by most Unions might be said to be typified by that set out by the late Clerk to the Board of Guardians of the West Derby Union in his evidence before the Select Committee of the House of Commons. Mr. Cleaver stated that : " With regard to applicants for outdoor relief no difference was made between the aged applicants and the younger applicants, and if the inquiries made by the relieving officers showed them to be deserving, outdoor relief was granted to them. The question whether an applicant was deserving or not was settled by the reports of the relieving officers backed up by the reports of officers called cross visitors, who were also officers of the Union. Outdoor relief was granted in every case unless there was very strong reason against."

## FORMS OF OUTDOOR RELIEF.

Speaking generally, outdoor relief takes the form of medical attendance in cases of sickness, payment of funeral expenses, allowance in money or kind to widows, women deserted by their husbands or whose husbands are in the Army or Navy, payment of expenses of children attending pauper schools, or the provision of work for able-bodied males under the terms of the Outdoor Relief Regulation, Order, 1852 rescinded by the Relief Regulation Order, 1911, which directs that : " Every able-bodied male person, if relieved out of the workhouse, shall be set to work by the guardians, and be kept employed under their direction and superintendence so long as he continues to receive relief." The distribution of the relief is left to the Relieving Officer, who is required to keep an account of disbursements in accordance with the General Order of Accounts, 1867, issued by the Local Government Board (now Ministry of Health).

## MEDICAL RELIEF.

Medical relief means relief, other than institutional relief, afforded by the grant of medical or surgical assistance or of any

matters or things supplied by or on the recommendation of a Medical Officer (Relief Regulation Order, 1911).

In the case of medical out-relief, the whole of England is divided into districts. No district may exceed 15,000 statute acres in extent, or 15,000 persons in population, as provided by the General Order (Consolidated), 1847. A Medical Officer is appointed by the guardians from among the medical practitioners resident within the district, whose duty it is to attend duly and punctually upon all poor persons requiring medical attendance, and supply the requisite medicines whenever he may be lawfully required by an order of the guardians, or of a Relieving Officer, or of an Overseer.

### AMOUNT OF RELIEF.

As to the amount of relief no rule can be said to exist. Mr. Henry Chaplin's Circular of 1900 inculcated the doctrine of the adequacy of relief and the policy was expressly endorsed by the Circular of 18th March, 1910, which states that "when outdoor relief is given it should be carefully adapted to the needs of the case and adequate in amount." What is adequate must be left to the local authority to determine. By the terms of the Outdoor Relief (Friendly Societies) Act, 1894 (57 and 58 Victoria, cap. 25), discretion was given to Boards of Guardians to take or not to take into consideration the amount received by a member of a friendly society when granting outdoor relief. This has been supplemented by the Outdoor Relief (Friendly Societies) Act, 1904 (4 Edward, cap. 7), which provides that: "In granting outdoor relief to a member of any friendly society, the Board of Guardians shall not take into consideration any sum received from such friendly society as sick pay, except in so far as such sum shall exceed five shillings a week."

Section 109 of the National Insurance Act, 1911, enacts that in granting outdoor relief to any person entitled to or in receipt of any benefit under the Act, the Board of Guardians shall *not* take into consideration such benefit except as such benefit may exceed 5s. per week. The Third Schedule of the National Insurance Act, 1920, however, which operated from the 5th July, 1920, repeals Section 109, referred to above, and substitutes 7s. 6d. weekly for 5s. weekly.

The Old Age Pensions Act, 1908, disqualified a person in receipt of Poor Law relief, but the Old Age Pensions Act, 1919, removed

that disqualification, except that where a person is receiving institutional relief for a longer period than three months, he shall be disqualified from receiving or continuing to receive an Old Age Pension, but on no account is the pension claimable by the guardians unless, during the first three months of detention, the patient is receiving medical or surgical assistance.

The War Pensions (Administrative Provisions) Act, 1918, provides that a disabled man who has been discharged from the service and is in receipt of a disablement pension shall not be required to apply any part of that pension towards the relief and maintenance of a person not being his wife and child. The Board of Guardians shall not take into account any part of any such pension in granting relief to any person, other than a wife or child, whom any such disabled person is bound to maintain.

The Unemployment Insurance Act, 1920, which operated from the 8th November, 1920, enacted that any Board of Guardians in determining whether outdoor relief shall or shall not be granted to a person in receipt of or entitled to receive unemployment benefit under a special or supplementary scheme, shall not take into account any such benefit in so far as it exceeds 10s. per week.

The Unemployed Workers' Dependants (Temporary Provision) Act, 1921, which operated from 10th November, 1921, suspends the operation of Section 27 of the Unemployment Insurance Act, 1920, referred to in the previous paragraph.

## PERSONS ENTITLED TO OUTDOOR RELIEF.

From the foregoing we may conclude, assuming the class of persons to be relieved to come within any of the sections before described, that outdoor or domiciliary relief may be given in the following instances—

1. The impotent who suffer through no fault of their own, including—

(a) Widows whose character will bear strict investigation.

(b) Widows, as before described, with legitimate children dependent upon them, but whose total earnings are insufficient to maintain them.

(c) Married women, with children, whose husbands are inmates of a lunatic asylum, hospital, or similar institution; or are in His Majesty's service.

2. The impotent who might have done better for themselves if they had exercised forethought, including—

(a) The aged who, through want of forethought, have made no provision for advancing years, but who have habitually led decent and respectable lives.

(b) The aged who have made some effort to provide for adversity, but, through sickness or other cause, have lost their savings.

(c) The aged who live with relatives who are not able to support them entirely, but who give evidence of being able to attend to them properly.

3. The able-bodied who have some ostensible means of gaining a living, including—

(a) Paupers or assisted persons from want of employment, not caused by their improvident or intemperate habits.

(b) Paupers or patients who are in receipt of medical relief, and also nourishment; and whose families are being maintained, either wholly or in part, out of the rates in consequence of the incapacity of the wage-earners to work.

(c) Paupers or assisted persons in receipt of a wage insufficient to provide the necessities of life, where the conditions indicate a desire to maintain the home, and where there is a probability of improving circumstances in the near future.

In all cases the amount and period of relief depends upon the character and circumstances of the applicant, in conjunction with the periodical report of the Relieving Officer or Medical Officer; subject also to renewal or revision by the Board of Guardians, when the period expires for which such relief was given.

## CHAPTER X

### INDOOR RELIEF OR INSTITUTIONAL RELIEF— THE POOR LAW INSTITUTIONS ORDER, 1913, AND THE POOR LAW INSTITUTIONS (NURSING) ORDER, 1913

#### MEANING OF INDOOR RELIEF.

INDOOR or institutional relief means relief given in any workhouse or in any other institution in which for the time being relief may be lawfully afforded, in accordance with the Poor Law Institutions Order, 1913 (this order came into force on 31st March, 1914), to paupers within any of the following institutions—

1. In institutions and in other Poor Law establishments under the direct control of Boards of Guardians, including—

- (a) Institutions and infirmaries.
- (b) Casual wards.
- (c) District sick asylums.
- (d) District or separate schools.
- (e) Cottage or other homes for children.
- (f) Institutions belonging to Managers of Metropolitan Asylum District other than fever or small-pox hospitals.
- (g) Homes for aged poor.

2. In hospitals and in other institutions not under the direct control of Boards of Guardians, which are designed for the education and training of children or to meet cases of particular infirmities for which the organization of the workhouse may not be adequate, e.g. institutions for the blind, deaf and dumb, including—

- (a) Schools and institutions certified under the Poor Law (Certified Schools) Act, 1862.
- (b) Hospitals.
- (c) Institutions for blind, deaf and dumb, etc.
- (d) Receiving homes for children.

3. In county and borough asylums, registered hospitals and licensed houses for the reception of pauper or other lunatics.

#### WORKHOUSE OR INSTITUTION.

The workhouse or institution is the representative institution of the Union, and is the foundation of all indoor relief. Whatever other building may exist in any Union is but an addition to

or off-shoot of the original institution erected for the purpose of carrying out Poor Law administration. While no one can claim outdoor or domiciliary relief as a right, a pauper can claim to be admitted to a workhouse, and a refusal to comply with such request would constitute criminal negligence on the part of those concerned. The question of settlement is one which must be decided afterwards. The capacity of the institution depends upon the requirements of the Union, but must be such as to provide for the classification of the inmates according to their needs and conditions, in accordance with the Poor Law Institutions Order, 1913.

### **HOUSE COMMITTEE.**

The Poor Law Institutions Order, 1913, provides that a House Committee shall be appointed by the guardians from their own body for each institution and prescribes certain duties to be performed by the committee. The committee is not an executive body but acts under the direction of the guardians and is subordinate to them. It is not the duty of the committee to administer the institution but to report to the guardians. It is the duty of the Committee to examine the institution or institutions once in every week at least, inspecting the reports of the Chaplain and General Officer, examining the stores and affording the inmates, as far as practicable, an opportunity of making any complaints, and of investigating such complaints. The Master is required to inform the House Committee and the guardians of the state of the institution, and to report in writing to the guardians any negligence or other misconduct on the part of any of the subordinate officers or servants, and generally to observe and fulfil all lawful orders and directions of the guardians.

### **PERIODICAL RECONSIDERATION.**

By the Relief Regulation Order, 1911, the case of every person receiving institutional relief shall be reconsidered by the guardians at or before the expiration of six weeks from the admission of the person to an institution and thereafter not less frequently than once in every twenty-seven weeks.

### **ACCOMMODATION.**

Guardians are required to see that the accommodation of the institution is sufficient to admit of such classification as is required

by the Poor Law Institutions Order, 1913, and that the portion of the building assigned to each class is separate and distinct from any other. Further, the guardians are empowered to sub-divide any class or classes as they may deem desirable, particularly in regard to the prevention of disease. By an Act of Parliament dated 1876 (39 and 40 Victoria, cap. 61), guardians are empowered, at their discretion, to permit husband and wife, where either of them is infirm, sick, or disabled by any injury, or above 60 years of age, to live together, but every such case must be reported to the Ministry of Health. The question of a further extension of the system of classification has engaged the attention of Boards of Guardians, not only with a view to a more economical administration by combining Unions, but also to enable a more uniform treatment to be effected throughout the country. In dealing with this matter at the Central Poor Law Conference, Mr. Harris P. Cleaver (late Clerk to the West Derby Board of Guardians) expressed his opinion that, by means of combination the administration of the smaller Unions would become equal to modern demands, and the desired greater uniformity in the treatment of special classes would be possible. The necessity for removal of the imbecile, epileptic and feeble-minded from the workhouse was practically admitted, and the advantages of separate accommodation generally acknowledged. The financial aspect of the case must receive consideration; but as one of the main considerations in all schemes of combination was that of economy of administration, there was no reason to think that it would not apply to the case under review. Whether such a scheme will be carried out under the present regime or under another executive body remains to be seen, but all admit the necessity of the extension of classification as advocated.

### ADMISSION TO THE INSTITUTION.

Admission to the institution may be by a written order of the Board of Guardians, signed by the Clerk, also by Justices' Order of admission under a Justices' Order of Removal, or by the Master or Matron (or, in their absence, the Porter) without an order in a case of extreme urgency, or provisionally by the Relieving Officer or Overseer. The Master of the workhouse is responsible to the Board of Guardians for the administration of the workhouse according to the Orders of the Ministry of Health,

as defined by the Poor Law Institutions Order, 1913, which gives detailed instructions relating to his duties.

### **MATRON'S DUTIES.**

The duties of the Matron deal more particularly with the female inmates, and with the domestic requirements of the establishment generally. She has also to act as the substitute for the Master whenever required on the admission of inmates into the institution. Any inmate may quit the institution upon giving to the Master a reasonable notice of his wish to do so ; and in the event of any able-bodied inmate, having a family, so quitting the house, the whole of such family shall be sent with him, unless the guardians, for any special reason, shall otherwise direct. By the provisions of the Pauper Inmates Discharge and Regulation Act, 1871 (34 and 35 Victoria, cap. 108), the guardians of any Union may, however, direct that any pauper may, under certain circumstances, be detained in the institution for a certain specified time after giving notice to leave.

### **DISCHARGE FROM THE INSTITUTION.**

An inmate of the institution is allowed to leave only on giving reasonable notice. After he has given notice of his intention to leave he is liable to detention for the following periods—

(a) If he has not discharged himself from the institution within one month before giving the notice, twenty-four hours.

(b) If he has discharged himself once or oftener within such month, forty-eight hours.

(c) If he has discharged himself more than twice within two months before giving the notice, seventy-two hours.

The Master has authority to dispense with the observance of these rules, and if a man has reasonable prospects of work may allow him to leave before the expiration of the required time. Men and women with families must ordinarily take them with them when they leave the institution.

### **INFIRMARY.**

In close association with the institution proper is the Institution Infirmary, wherein is provided accommodation for those who come within the category of male or female infirm patients. For many years the provision of adequate accommodation for the sick and infirm had constituted one of the greatest evils which

remained to be remedied. The Committee of the Houses of Parliament which set its approval on the Union Chargeability Act, 1865, and to which reference has previously been made, also recommended better classification in workhouses, and the result was the passing of the Metropolitan Poor Law Act, 1867, which established the Metropolitan Asylums Board, charged, among other responsibilities, with the duty of providing for the sick poor within the Metropolitan area, and to procure the requisite medical and surgical appliances, medicine, etc., for this purpose. The Poor Law Amendment Act, 1867 (30 and 31 Victoria, cap. 196), among other provisions extended the same principles to the provincial Unions. The principal officer of the infirmary is the Resident Medical Officer, whose duties were defined by the General Order, dated 24th July, 1847, and further extended by the Orders dated 4th April, 1867, and the 24th August, 1869, and are contained in the Poor Law Institutions Order, 1913.

Many improvements have taken place in this form of poor relief since the days when the late Mr. William Rathbone, of Liverpool, pioneered the movement which secured efficient and reliable nursing for the suffering poor. In years gone by, it was the general rule that paupers should nurse the sick poor. Under the old system nursing was more distressing than comforting to the patients, and was, no doubt, responsible for the heavy mortality. With the assistance of Mr. William Rathbone, the male wards of the Liverpool Select Vestry, in Brownlow Hill, were put under a staff with Miss Agnes Jones as Superintendent. To-day the institution infirmaries of the country, with their staff of resident medical officers, visiting medical specialists, and staff of trained nurses, represent institutions vastly different from those which were in existence at the time that the *Lancet* held its inquiry into the provisions for the nursing of the sick poor.

### NURSING ATTENDANCE.

The Poor Law Institutions (Nursing) Order, 1913, which came into operation on the 31st March, 1914, provides that skilled nursing attendance (including provision for cases of emergency) shall be available for the inmates of every institution. The Order prohibits the employment of any inmate in the nursing of the sick, and provides that an inmate shall not be employed in any capacity in the sick wards, the lunatic wards, or the

nurseries, unless approved by the Medical Officer for the particular employment and acting under the immediate supervision of a paid officer. The Order makes important changes with regard to the appointment of the Superintendent Nurses, Head Nurse, and Midwives.

The policy of progressive Boards of Guardians to-day is to separate exclusively the administration of the sick wards from that of the institution, and the Ministry of Health is empowered to issue Special Orders sanctioning the separation and framing the Regulations for administration, appointments, etc. Nowadays these great Poor Law hospitals are supplied with all modern medical and surgical appliances and equipment to enable the guardians to carry out their legal function to the sick poor, on the principle that the sick poor should be able to receive the same expert treatment as the rich, with the result that such a high standard has been attained that even the best and most fortunately placed of the general hospitals of the country could not hope to surpass or even seriously compete with them. The infirmaries are certified training schools for nurses, and also are certified by the Central Midwives Board as training schools for Midwifery.

The guardians are encouraged by the Ministry of Health to establish various clinics, and in some cases as much as 75 per cent of the expenses of the running of a clinic is defrayed by the Ministry.

Arrangements are also made for the reception and treatment of paying patients and Ministry of Pensions cases in private wards.

### **SANATORIUM ACCOMMODATION.**

As an evidence of what combination can do in connection with Poor Law administration, a passing reference might be made to the erection of the sanatorium at Heswall, Cheshire, by the Joint Boards of the Parish of Liverpool, the Union of West Derby, and the township of Toxteth Park, for the treatment of tuberculosis in its curable stages. The provision of this hospital is the outcome of a conference held some years ago by the Guardians of the Poor for these Unions, now amalgamated as from the 1st April, 1922, to form the new West Derby Union. The hospital is situated on the hillside of Heswall, well sheltered from the east winds, and commanding extensive views of Wales and of the estuary of the Dee. The buildings are built with the

main front facing due south, are provided with accommodation for 24 patients, capable of being extended to provide for double the present number of beds. This pioneer movement is commendable in itself, for, although not productive of as good results as had been at first anticipated, it still remains the first fruits of a broader and more sympathetic endeavour to provide for the poor the benefits which the rich enjoy. The principle of providing competent medical assistance, together with first-class appliances, is a wise one, recognized as the best means of dealing with the problem of pauper medical relief.

## CHAPTER XI

### CHILDREN UNDER THE POOR LAW

#### LEGISLATIVE ACTION.

It is pleasing to record the efforts which have been made, from time to time, by the legislature, to meet the evils of pauperization in relation to the child. We recognize at once the principle, which has been previously mentioned, of remedial action in endeavouring to prevent an increase of pauperism in our midst. The methods adopted for dealing with child-life are numerous, and demonstrate clearly the advantages which might ultimately accrue from a general development of classification.

The authorities appreciate the importance of a just and discriminate protection of the weak, as a long line of Factory and Workshops Acts, Prevention of Cruelty to Children Acts, and Employment of Children Acts clearly proves. There are, however, certain other measures not so well known to which reference may be made at this point.

#### THE POOR LAW ACTS, 1889-1899.

The Poor Law Acts, 1889-99 empower the guardians to assume parental control over children until they reach the age of 18 years. The Poor Law (Amendment) Act, 1889 (52 and 53 Victoria, cap. 56), provides that when a child is deserted by its parents and is maintained by the guardians the latter may resolve to assume parental control over boys until the age of 16 and over girls until 18. The parents' liability to contribute to the maintenance of his children still remains, while the guardians may voluntarily resign such control, or a Court of Law may rescind the authority of the guardians if the parents can make out a case for so doing. The Custody of Children Act, 1891 (54 and 55 Victoria, cap. 3), enacts that where parents have abandoned or deserted their children, or allowed them to be brought up at the expense of others, or by the guardians, for such time and in such circumstances as to satisfy the Court that the parent was unmindful of his parental duties, the Court shall not make an order for the delivery of the child to the parent unless the parent satisfy the Court that, having regard to the welfare of the child, he is a fit person to have the custody of it. The Poor

Law (Amendment) Act, 1899 (62 and 63 Victoria, cap. 37), extends the provision as to parental control by guardians to orphans and children of bad parents, chargeable to the rates; while the Prevention of Cruelty to Children Act, 1904 (4 Edward VII, chap. 15), requires Boards of Guardians to provide for the reception of children brought to an institution in pursuance of the provisions of the Act, and where the place of safety to which a constable, or any person authorized by a Justice of the Peace, takes a child is an institution, the Master shall receive the child into the institution, if there is suitable accommodation therein for the same, and shall detain the child until the case is determined, and any expense incurred in respect of the child shall be deemed to be expenses incurred in the relief of the poor.

#### **POOR LAW INSTITUTIONS ORDER, 1913.**

It is prescribed by the Poor Law Institutions Order, 1913, of the Local Government Board that boys and girls who are healthy and between the ages of 3 and 16 cannot be retained in adult institutions for a period exceeding six weeks, unless detained in a sick ward or under a certificate of the Medical Officer.

#### **POOR LAW SCHOOLS AND TRAINING SHIPS.**

There are various methods for providing for children outside the institution. One method is the provision of Poor Law Schools, where the boys get a thorough industrial training in the trade of tailor, bootmaker, carpenter, etc., while the girls are given a domestic course to fit them for domestic service or other similar career. Associated with the schools are the training-ships for boys, which are certified by the Ministry of Health under the Poor Law (Certified Schools) Act, 1862, or are certified industrial schools. The advantages resulting from the use of training-ships for the instruction and maintenance of boys has formed the subject of a circular that has been issued to Boards of Guardians by the Ministry of Health. The Ministry is strongly of opinion that good results would ensue if a larger number of boys were sent to these ships, and recommends that Boards of Guardians, where the boys under their care are sufficiently numerous, should cause to be submitted to it periodical lists of the boys who appear to be eligible for training of this kind. The training on board the vessels is thorough. In most instances, not only is the scholarship of the boy excellent, but he

is taught the use of the tailor's needle—so essential to the sailor—seamanship, navigation, gunnery, and signalling, so that not only the mercantile marine, but the skilled branches of the Royal Navy or Army are open to the boy at the close of his course. There are also special officers engaged in after-care work for the purpose of following up the boys when they have entered upon their vocation.

### BOARDING-OUT.

The requirements necessary for the adoption of the system of boarding-out pauper children are provided by the Boarding-out Order, 1911, which consolidates all previous Orders relating to Boarded-out Relief, whereby guardians may board out pauper children in homes beyond the limits of the Union or Parish : provided that they have entered into arrangements, approved of by the Ministry of Health, with two or more persons, called the Boarding-out Committee, for the purpose of finding and superintending such homes. Detailed regulations are laid down by the Ministry for the information of the Boarding-out Committee. These regulations include the provision that every boarded-out child shall be visited not less than once in every six weeks at the home of the foster-parents by a member of the committee. The visitor is required to make a report in writing to the committee stating the apparent bodily condition and behaviour of such child, and all reasonable complaints made against or by such child by or against the foster-parents. It was further provided that in no case should the weekly sum to be paid by the guardians to the foster-parents for the maintenance of a child exceed four shillings inclusive of lodging, but exclusive of clothing and fees for medical attendance. A circular letter of the Ministry of Health to Boards of Guardians, dated 3rd May, 1920, rescinded Article VII of the Boarding-out Order, 1911, fixing the amount of the Boarding-out relief to 4s. per head per week, and left the matter entirely in the discretion of the Board of Guardians without any reference to the Central Authority. Certain provincial boards pay 10s. to 15s. a week in these cases, plus a quarterly allowance for clothing. It is claimed for the boarding-out system that, although it cannot be universally adopted, because an unlimited number of satisfactory homes cannot be found, and all children are not suitable for boarding-out, yet it is the cheapest system. It is also stated that it is most efficient

and natural, affording the child opportunity to mix with the world, teaching the girls domestic duties, giving the boys a choice of manual work, and giving each a home to look back to in after life. Against this is the weighty opinion of Professor Fawcett, who, in the chapter on "Local Taxation," in his *Manual of Political Economy*, stated that "the boarding-out system may prove to those who are willing to desert their children an assurance that they will be carefully tended in healthy country homes, and will enjoy many more comforts than the majority of working-men are able to secure for their families."

### COTTAGE HOMES.

In certain Unions there have been erected Grouped Cottage Homes, consisting of a cluster of houses in each of which a man and his wife are established, having under their care a certain number of pauper children. In some cases a school is attached where the usual subjects of an elementary character are taught. Attention is given to the manual training of the boys, and the domestic training of the girls, while amusements are provided in the shape of gymnasium, swimming bath, and recreation grounds, etc. The administrative work is directed by a Superintendent, who is, in his turn, responsible to a Visiting Committee of the Board of Guardians. The system, although an exceedingly costly one, is commendable, removing, as it does, the barrack system of the Poor Law Schools and giving the appearance of a real home to the pauper children.

### SCATTERED HOMES.

The Scattered Homes system was originated by the Sheffield Board of Guardians as the result of the report in 1888 of a committee who reported in favour of a combined system of boarding-out and cottage homes as the best method of dealing with the children. It was suggested whether it might not be possible for the guardians themselves to establish homes similar to those which they would, under other circumstances, endeavour to select for boarding-out, and which, by being isolated from one another, should be altogether unlike pauper institutions. The Local Government Board gave their approval to the scheme in February, 1893, and since that date the scheme has been pressed forward rapidly. Other Unions have since adopted the system,

but the Ministry of Health have, through their Inspectors, expressed the view that, as regards the merits of the Scattered or Grouped Cottage Homes for Poor Law children, the best system was the Cottage Homes. Family life is the most cherished of our society. The Superintendent in grouped Cottage Homes represented the father as the head of the family. Moreover the Superintendent could see what was going on at all times ; but in scattered homes the foster-mother knew that when the Superintendent had once paid his visit he would not be seen again until the next day, or, perhaps, for two or three days. There was no doubt that the opportunity of introducing undesirable persons and things into scattered homes was considerably greater than in the case of grouped homes.

### RECEIVING HOMES.

In cases of special infirmities the guardians avail themselves of their powers to send the children to institutions or Receiving Homes, which are maintained by voluntary subscription, but certified by the Ministry of Health. Some of these are administered by religious bodies, while others provide for those who are physically or mentally defective, e.g. the blind, deaf and dumb.

### EMIGRATION.

Emigration forms another link in the vast machinery which is brought into operation for the benefit of pauper children. The Poor Law Act, 1850, Section 4, empowers the guardians to send orphan or deserted children to the colonies, but only with the express consent of the child given before a Magistrate in Petty Sessions, and subject to the consent of the Ministry of Health. This forms a popular and in many ways a commendable method of dealing with the Poor Law children. It is a very cheap system, and another of its many advantages is that it necessitates the entire separation of the children from their pauper associations. The supervision of those children who are sent to Canada is better organized than is generally supposed. The work is carried out by voluntary agencies, supporting trained men and women of experience and tried capacity, who pay frequent and friendly visits of inspection, and also by the Immigration Inspectors of the Department of the Interior, who also pay regular and official visits.

**APPRENTICESHIP.**

Apprenticeship is another method of setting the pauper child upon a career of usefulness and advancement. The term of apprenticeship is discretionary with the guardians, but no apprentice can be bound for more than eight years. No child can be bound, unless in particular cases, to a master whose place of business is more than 30 miles from the residence of the child at the time of binding. No child under the age of nine can be apprenticed, and if the child is above 14 his own consent is required, and if under 16 his father's consent (or, if his father is dead, his mother's) is required in addition. If a premium is given it must consist in part of clothes supplied to the apprentice, and in part money to the master. The duties of the master are specially provided for by statute and by the regulations of the Ministry of Health.

## CHAPTER XII

### THE CASUAL PAUPER

#### DIFFICULTIES OF LEGISLATIVE ACTION.

VAGRANT, casual pauper, "villein," tramp, sturdy vagabond, valiant beggar, mendicant, people of the abyss, submerged tenth; whatever term is used to describe the class or the individual, it is a sufficient stimulus to the imagination. All those who dwell below the poverty line must suffer in body; but to those who have sunk there from higher levels, the mental suffering must be greater. The pinched and haggard face, the callous indifference, the stolid and sullen expression are often masks which it is difficult to pierce; in such an existence even thought itself is warped and twisted.

Such men offer one of our greatest problems. It has been pointed out above that our energies in Poor Law administration are necessary not only for our safety, but for the well-being of the State. The point of the danger of the fallen "educated" casual, then, needs no labouring.

The difficulties of legislative action with respect to the casual pauper class remain, for there will always be the professional beggar who finds an easier means of existence by a series of falsehoods than by attempting legitimately to gain a livelihood. It is in consequence of this that the measures adopted respecting the casual poor fall with considerable severity on the honest and, therefore, deserving subject; for the administrative authority cannot adapt itself into a discriminating organization able to separate the just from the unjust.

#### CLASSIFICATION OF VAGRANTS.

The Vagrancy Acts divide vagrants into three classes, viz.—

1. IDLE AND DISORDERLY PERSONS, including anyone who is able to maintain himself and his family entirely or partly by work or other means, and who wilfully refuses or neglects to do so, so that he himself or a member of his family whom he is bound to support becomes chargeable to the parish. This class includes any person wandering abroad, begging in public places, or employing children for that purpose.

2. ROGUES AND VAGABONDS, which include idle and disorderly persons who have been already convicted, and vagrants who are found in uninhabited buildings, etc., without visible means of subsistence.

3. INCORRIGIBLE ROGUES, *viz.* : All those who have already been convicted as rogues and vagabonds, and persons who when taken up as rogues and vagabonds violently resist the constable.

### CASUAL WARDS.

The present regulations respecting the Casual Poor are principally contained in the General Order of the Local Government Board, dated 18th December, 1882. This Order, containing Regulations with respect to Casual Paupers, was issued in consequence of the passing of the Casual Poor Act, 1882 (45 and 46 Victoria, cap. 36). This rescinded in part a previous Order dated 22nd November, 1871, issued in pursuance of the Pauper Inmates Discharge and Regulation Act, 1871 (34 and 35 Victoria, cap. 108), prescribing regulations with reference to casual inmates, a reference to which Act was made in connection with workhouse administration. By the 34th and 35th Victoria, cap. 108, it is provided that guardians of every Union shall provide within their respective Unions such casual wards, with such fittings and furniture as the Ministry of Health in their judgment shall consider necessary (regard being had to the number of casual inmates likely to require relief therein). Admission to the casual ward is made upon an order signed either by the Relieving Officer or an assistant, or, in cases of sudden and urgent necessity, by an Overseer. The Master of the institution (or during his absence or inability to act, the Matron) or the Superintendent of the casual ward can admit any casual inmate without an order when the case appears one of sudden or urgent necessity. The order must show the hour and place at which it was given and can be available only on the day on which it is issued. It cannot be used before four in the afternoon during the months of October to March, both inclusive; nor before six o'clock in the afternoon during the months of April to September, both inclusive. On admission the inmate is searched, and all articles which are found are taken away and restored again at the time of discharge. The inmate is then required to have a bath, his clothes are taken from him and others supplied for the night, his own being restored to him in the morning.

The inmate cannot discharge himself from the casual ward before nine o'clock in the morning of the second day following his admission ; nor before he has performed the work prescribed for him. Where a casual inmate has been admitted on more than one occasion during one month into any casual ward of the same Union, he is not entitled to discharge himself before nine o'clock in the morning of the fourth day after his admission, and may at any time during that interval be removed by any officer of the guardians or by a police constable to the institution of the Union and be required to remain in such institution for the remainder of the period of detention. The task of work required to be done is as follows—

**Casual Inmates who remain for One Night Only.** AS REGARDS MALES. The breaking of 2 cwt. of stones, or such other quantity not less than  $1\frac{1}{2}$  cwt. nor more than 4 cwt. as the guardians, having regard to the nature of the stone, may prescribe. The stone shall be broken to such a size as the guardians, having regard to the nature thereof, may prescribe. The picking of 1 lb. of unbeaten, or 2 lb. of beaten oakum, or three hours' work in digging or pumping, or cutting wood, or grinding.

AS REGARDS FEMALES. The picking of  $\frac{1}{2}$  lb. of unbeaten or 1 lb. of beaten oakum, or three hours' work in washing or scrubbing and cleaning.

**Casual Inmates who remain for more than One Night.** The quantity of work for those inmates who are detained for more than one night is approximately three times as much as that required in return for one night's lodgings. The guardians are, under the terms of the Ministry of Health's Order, empowered to regulate the quantity or character of the work required to be done, consideration being made as to the age, physique and general health of each individual inmate.

## REPORT ON VAGRANCY.

Mr. Jenner Fust, one of the Poor Law Inspectors of the Ministry of Health, in a report to the Ministry published some years ago, said : " No attempt to deal with vagrancy can stop short at casual wards and their administration, but it must extend to common lodging-houses and all other places frequented by the vagrant class as well as to the causes leading to the adoption of a wandering life and the possibility of reclaiming some at least to a life of industry."

It is in consequence of the increasing seriousness of this side of pauperism—recognized by the State in the appointment by the Ministry of Health, after consultation with the Home Secretary, of a Departmental Committee on the subject of Vagrancy—that reference is here made to the question. On 1st January, 1903, the vagrants numbered 14,475, on 1st January, 1904, they had increased to 15,034, while on 1st June, 1905, the figure stood at 17,524. During the war there was a steady diminution, the lowest figure being 1,053 in January, 1919. Since that date there has been a gradual increase. There are four main classes of casuals: (a) the young children who cannot under any circumstances be held responsible for their condition; (b) the genuine working man, who by reason of present industrial conditions, is, through no real or lasting fault of his own, often on the road; (c) the hardened young or able loafer; and (d) the old and decrepit vagrant. With regard to the first class the best method to adopt is to remove the children from their surroundings in the hope that they may become useful members of society. The old and decrepit vagrant, on the other hand, should be compelled to enter a workhouse or similar institution as being a social wreck who has reached an age at which reform is impossible. This reduces the classes to two—the wayfarers, who are on their way from some place where they could not find work to some other place where they think they might be able to obtain it, and vagrants who continue wandering aimlessly about the country. Between these two classes the legislature makes no distinction and the provisions for the former consequently foster the latter class. With the able-bodied vagrants nothing can be done to prevent their increase without the co-operation of the gullible, charitably-minded person, who is blind to the fact that the most hardened of these pests to society are the most skilled in "sponging" and secure the greatest benefit when efforts are made in times of industrial distress to benefit the unemployed. It would be a good thing if these people could be prevented from breeding their kind, and from transmitting characteristics which are dangerous to the community. They form, in fact, a suitable class for placing in confinement permanently, or, at least, until they have acquired habits of industry which they would prefer to idleness. For the genuine working man in search of work some provision must be made. No class has received such scant consideration and is so little

understood as this, and one would claim a moment's consideration as to their condition.

### EAST LONDON EXAMPLES.

In his *People of the Abyss*, the late Jack London records the incidents of the journey from the casual ward of Whitechapel Workhouse to Poplar Workhouse in the company of a carter—58 years of age, once in business on his own account, reduced by illness and age to wander in search of work—and a carpenter whose sole crime was that he was 65 years of age. Here is an extract—

“ From the slimy, spittle-drenched side-walk, they were picking up bits of orange peel, apple skin and grape stems, and they were eating them. The pips of greengage plums they cracked between their teeth for the kernels inside. They picked up stray crumbs of bread the size of peas, apple cores so black and dirty one would not take them to be apple cores, and these things these two men took into their mouths and chewed them and swallowed them ; and this, between six and seven o'clock in the evening of August 20, year of our Lord 1902, in the heart of the greatest, wealthiest and most powerful empire the world has ever seen.”

This may seem to be exaggerated, but the account has been corroborated by Mr. Jenner Fust in an article on “ The Lives of the London Poor,” and by other writers. A census of the homeless poor in London was taken by officers of the London County Council on 29th January, 1904. On that occasion 1,463 men, 116 women, 46 boys, and four girls were found walking about the streets, and 100 men and 68 women were found asleep on staircases in doorways and under arches, making a total of 1,797. This means that nearly two thousand individuals on a cold winter's night were unable to obtain the necessary coppers to obtain admittance into a common lodging house, or were unable to secure admittance to the casual or other shelters provided by the Church Army, the Salvation Army, and other voluntary agencies. The reader should remember that not all of these unfortunate fellow creatures were hardened vagrants, and that many an one has sunk into the depths by a series of circumstances which no forethought or individual efforts could have prevented.

During the period of the War the number of the homeless poor declined, as already stated. Since the beginning of 1919 there has been a great increase in the number of cases dealt with. The increase is reported to be largely made up of discharged soldiers. All have wherever possible been given a fresh chance through one of the charitable agencies, particularly the Metropolitan Homeless Poor Committee.

#### NATIONAL ASSOCIATION OF VAGRANCY COMMITTEES.

The Association consists of a combination of Boards of Guardians for the majority of the counties in England and Wales. It has engaged in various forms of activity with a view to differentiation between the different classes of vagrants who frequented the tramps' wards. Ex-service men had received special treatment. Food tickets had been provided for all men and women when leaving the wards, enabling them to obtain food on the way, thus removing the excuse for begging or thieving. *Bona fide* working men who could prove that they had been usefully employed and were seeking work were discharged early on the following morning without being required to perform any task. The Association was urging the Ministry of Health to secure legislation for (1) Compulsory combination of Boards of Guardians; (2) the alteration in the treatment of the casual poor by increased period of detention; (3) provision of labour colonies.

## CHAPTER XIII

### LUNACY AND MENTAL DEFICIENCY

#### CLASSIFICATION OF INSTITUTIONS.

THE present legislation respecting lunacy and mental deficiency is contained in the Lunacy Consolidation Act, 1890 (53 Victoria, cap. 5), the amending Act of the following year (54 and 55 Victoria, cap 65), and the Mental Deficiency Act, 1913 (3 & 4, George V, cap. 28). Institutions for the reception of lunatics include : (1) asylums, registered hospitals, and licensed houses. Asylums are provided by the county or borough, or by the union of counties or boroughs for that purpose. Registered hospitals are hospitals holding certificates of registration from the Commissioners in Lunacy, where lunatics are received and supported wholly or partly by voluntary contributions. Licensed houses are houses licensed by the Commissioners in Lunacy, or beyond their immediate jurisdiction by Justices ; (2) workhouses or Poor Law institutions ; (3) houses in which patients are boarded out ; (4) unlicensed private houses in which not more than a single patient may be received. The Commissioners in Lunacy are now merged in the Board of Control, appointed under the Mental Deficiency Act, 1913. The classes of persons who come within the Lunacy Acts include those who are of unsound mind or are mentally infirm.

#### BOARD OF CONTROL.

The central authorities include the Lord Chancellor, who is responsible for judicial functions ; the Minister of Health, who is responsible to Parliament for the work of the Board of Control.

The Board of Control consists of not more than fifteen Commissioners, one of whom is to be appointed chairman by the Secretary of State. Sir W. P. Byrne, K.C.V.O., C.B., lately Assistant Under-Secretary of State at the Home Office, was appointed the first chairman. The Board of Control is a corporate body, with perpetual succession and a common seal.

The Commissioners who, prior to the commencement of the Act (for that purpose the 1st November, 1913), held office as

Commissioners in Lunacy have become Commissioners of the Board of Control. The Act requires that at least one of the paid and one of the unpaid Commissioners shall be a woman (Section 22).

The powers and duties of the Commissioners in Lunacy under the Lunacy Acts, 1890 to 1911, together with their official staff, have been transferred by the new Act to the Board ; and subject to the provisions contained in Section 65, the Board will carry out the duties and exercise the powers of Commissioners in Lunacy, as well as those of Commissioners under the new Act (Section 65).

The Board of Control visit every class of lunatics except persons so found by inquisition ; that is to say, persons declared to be insane by a Master in Lunacy. These latter are visited by the Chancery Visitors, who are three in number, two medical and one legal (a barrister of not less than five years' standing at date of appointment), who are also appointed by the Lord Chancellor. The Chancery Visitors and Master in Lunacy form a Board, having offices at the Royal Courts of Justice.

The constitution of the Board of Control and the appointment of its officers and servants operated from the 1st November, 1913.

### VISITING COMMITTEES.

The local authority is (generally) the council of the county or county borough who must provide accommodation for its pauper lunatics. Arrangements may be made with another authority, or a joint asylum may be maintained. The local authority may provide accommodation for lunatics of the private class. Every asylum has a Visiting Committee of not less than seven members, appointed by the local authority ; or, in the case of a joint asylum, such number as may be elected by each authority interested. Section 28 of the Act provides for the appointment of the local committee, the majority of whom shall be councillors, the other members being Poor Law Guardians. The Justices of every Court of Quarter Sessions borough (not within the immediate jurisdiction of the Commissioners) annually appoint three or more of their number as visitors of licensed houses. The whole of this judicial machinery is controlled by the Lord Chancellor and such of the Lords Justices and other judges who may be authorized, together with the two Masters in Lunacy, who are appointed by the Lord Chancellor from members of the

Bar of not less than ten years standing, and whose duties include the holding of the inquisitions.

County Court Judges also exercise jurisdiction relative to the control of property and other matters relating to lunatics of limited means.

### MAINTENANCE OF ASYLUMS.

The maintenance of lunatic asylums is in the hands of the Visiting Committee. The amount charged for lunatics in asylums is provided by Section 283 of the Lunacy Act, 1890, as follows—

(1) Every Visiting Committee shall fix a weekly sum, not exceeding 14s., for the expenses of maintenance and other expenses of each pauper lunatic in the asylum, and of such amount that the total of such weekly sum shall be sufficient to defray such expenses and also the salaries of the officers and attendants of the asylum, and such weekly sum may from time to time be altered.

(2) If 14s. a week is found insufficient for the purpose aforesaid, the local authority to whom the asylum belongs may, by order, direct such addition to be made to the weekly sum as to the local authority seems necessary, and every such order shall be signed by the clerk of the local authority, and forthwith published in a local newspaper.

(3) A committee may fix a greater sum, not exceeding 14s., to be charged in respect of pauper lunatics other than those sent from or settled in a parish or place within the county or borough to which the asylum belongs.

(4) Any excess created by the payment of such greater weekly sum, may if the Visiting Committee think fit, be paid over to a building and repair fund, to be applied by the committee to the altering, repairing or improving the asylum, and the committee shall annually submit to the local authority a detailed statement of the manner in which such fund has been expended.

The controversy and litigation which has surrounded this section of the Act is sufficient justification for quoting the full text of the section.

By the Local Government Act, 1888 (51 and 52 Victoria, cap. 37), supplemented by the Local Taxation (Customs and Excise) Act, 1890 (53 and 54 Victoria, cap. 60), it is provided that the council of each county shall, from time to time, pay out of the county fund, and charge to the Exchequer Contribution Account,

a sum equal to four shillings a week for each pauper lunatic chargeable to (a) the county, (b) the union, (c) the borough for whom the net charge upon such authority, after deducting any amount received by them for the maintenance of such lunatic from any such source other than local rates, is equal to or exceeds four shillings a week throughout the period of maintenance for which the sum is paid. Any deficiency which may thereafter exist is met by a precept made upon the general rate of the local authority. Certain districts have special powers under local Acts of Parliament, whereby the area concerned is controlled by a special Board elected from the members of the local authorities who contribute to its funds.

### MENTAL DEFICIENCY ACT, 1913.

The Mental Deficiency Act, which came into operation on the 1st April, 1914, did not directly place any new duties on Boards of Guardians. It is provided in Section 30 of that Act that nothing in the Act is to affect the powers and duties of Poor Law authorities under the Acts relating to the relief of the poor, with respect to any defectives who may be dealt with under those Acts. Further, the local authorities (i.e. the councils of counties and county boroughs) do not have any duties with respect to defectives who, for the time being, are provided for by those Poor Law authorities, except to the extent prescribed by Provisional Regulations, dated 20th March, 1914, of the Secretary of State with the concurrence of the Ministry of Health under Section 30 of the Act.

It is part of the duty of every Board of Guardians under the Poor Law to make such provision as may be necessary for the care and treatment of defectives who are destitute and whose responsible relatives are not in a position to maintain them and to give them the care and treatment that their circumstances require. Hitherto many such cases have been accommodated in the institutions. Some Boards of Guardians have, either alone or jointly, made special arrangements for receiving such persons in suitable premises forming part of the institutions ; or in institutions separate therefrom.

Having regard to the policy of the Mental Deficiency Act, 1913, it may be assumed that apart altogether from the training which is to be a feature in institutions for defectives under the Act, the general institution may no longer be regarded as a suitable place

for the maintenance of defectives liable to be dealt with under the Act and that some other provision will be made for them.

At this point the duties of other local authorities and Boards of Guardians approach very closely. If the local authority finds that some unfortunate defective is not cared for by any Board of Guardians, and is not receiving suitable supervision, a question may arise between them and the Board of Guardians as to the course to be taken.

Section 37 of the Act provides that on the application of the local authority for any area comprising the whole or any part of a Poor Law Union, the Board of Control may, subject to the consent of the Ministry of Health, if satisfied of the special fitness for the detention, care and training of defectives of any buildings or other premises provided by the Board of Guardians of that Union, either alone or in conjunction with any other Board of Guardians, approve the premises for the reception of defectives. On such approval being given, and as long as it continues, the premises will rank as a certified institution, and the guardians will, for the purposes of the Act, be regarded as the managers of it. The guardians will then be entitled, subject to the approval of the Ministry of Health, to enter into agreements with the local authority for the reception of defectives sent to the institution by the local authority; and the fact that the premises are provided by a Board of Guardians will not pauperize the persons they so receive.

As regards this enactment, if a question arises between the Board of Guardians of any Union who have provided buildings for defectives and the council of a county or county borough desiring to send patients there, as to the suitability of the provision made by the Board of Guardians for defectives, the matter may come before the Board of Control for decision. If that decision is adverse to approval, the guardians will not be able to receive into their buildings non-pauper defectives who are to be dealt with by the local authority.

Indirectly, the Mental Deficiency Act, 1913, required many Boards of Guardians to make additional provision for the reception, care and treatment of defectives who become chargeable to their Unions. To meet this new situation combinations of Boards of Guardians have been formed in many parts of the country for the purpose of providing jointly the accommodation needed. This was done under Section 8 of the Poor Law Acts, 1879.

Responsibility indirectly devolves on Boards of Guardians in another direction. Many defectives who belong to the classes mentioned in Sub-section 2 (1) (b) of the Mental Deficiency Act, 1913, come under the guardians' care ; that is defectives (i) who are found neglected, abandoned, or without visible means of support ; and (vi) who are in receipt of poor relief at the time of giving birth to an illegitimate child or pregnant of such child. Such person must be received into the institution practically whenever they apply for relief, and hitherto they have been able to discharge themselves from the institution, generally whenever they desired to do so. They belong to the class of " ins and outs," and they are proper subjects for compulsory detention. Under the Poor Law, however, the guardians have no power to detain them against their will. Those of them who decline to be detained may be regarded as defectives who cannot be dealt with under the Poor Law, and therefore Section 30 (ii) does not withdraw them from the power of the local authorities under the Act of 1913.

A Poor Law authority should therefore bring under the notice of the authority indicated in the regulations made by the Minister of Health under Section 30 (ii) of the Act, every defective above the age of 21 years who becomes chargeable to them, who is in need of training and control of a kind which is not ordinarily provided in an institution belonging to the guardians ; every defective who is in receipt of poor relief at the time of giving birth to an illegitimate child, or when pregnant of such child, or whilst leading a life of prostitution ; every defective who is chargeable and who in his own interest requires to be under proper care and control, but who is likely to take his discharge from the workhouse ; and every moral imbecile who becomes chargeable but whose vicious or criminal propensities make him unfit to be detained in a workhouse, and whose detention is nevertheless desirable in the public interest, as well as his own.

By the regulations a medical practitioner appointed by the guardians of any Union, and also the guardians of any Union, to the number of not more than five, may visit at reasonable hours and examine any defective chargeable to the Union confined in a certified house, or resident in an approved home, unless the medical officer of the home delivers to the person or persons intending to make the visit a statement signed by him certifying that for the reasons set forth in the statement the visit would

be injurious to the defective. The medical officer is forthwith to enter in the medical journal the reasons set forth in the statement and to sign the entry.

### PROPOSALS FOR REFORM.

A conference on lunacy administration was called by Sir Frederick Willis, the Chairman of the Board of Control, in January, 1922. The conference was attended by practically the whole of the Medical Superintendents and Chairmen of Visiting and Managing Committees of mental hospitals in England and Wales. The conference arrived at the following unanimous conclusions—

TREATMENT WITHOUT CERTIFICATION. 1. That early treatment without certification should be legalized.

2. That by early treatment a permanent mental breakdown would be prevented in many cases.

3. That such early treatment should only be given in institutions or homes approved for the purpose by some Government Department.

4. That the Government Department upon whom the duty of supervising this work should be placed should be the Board of Control.

The conference did not desire that any hard and fast lines should be laid down as to where early treatment should be provided. It was also unanimously agreed that the law should be altered so as to allow of the reception of voluntary boarders in public mental hospitals, and that local authorities should be empowered to contribute towards the expense of early treatment when it was carried out by someone other than themselves.

CO-OPERATION FOR RESEARCH. Another subject which was discussed was the importance of research and pathological work. A strong desire was expressed by the various speakers that this work should be still further extended and that local authorities should be authorized to combine for this work wherever it seemed to them desirable.

It was generally agreed that there should be women members on all visiting committees. As to the medical staff generally a strong feeling was expressed that the medical superintendent should delegate his non-medical duties as far as practicable. Visiting committees should be prepared to provide medical superintendents with efficient lay staff to carry out the business arrangements necessary in connection with the institutions.

**STAFFING ARRANGEMENTS.** The general view was expressed that the position of an assistant medical officer should be made more attractive, and that these officers should be encouraged to take up post-graduate courses and to take the diploma in psychological medicine. Several members urged the value of the employment of visiting specialists, such as dentists, surgeons, bacteriologists, radiologists, etc., at mental hospitals. As to the nursing staff it was generally agreed that the matron and those nurses who occupy the more important posts should all have had not only special training in the nursing of mental cases, but that they should have undergone a full general hospital training.

In regard to general improvement in lunacy administration, it was urged that it would be an advantage to divide England and Wales into some eight or ten areas, and to have an advisory committee acting for these areas for an interchange of ideas and discussion of the problems and difficulties arising.

### PERSONS IN RECEIPT OF INDOOR RELIEF.

In summarizing the preceding chapters, it may be said therefore that the persons to whom indoor relief (including, for this purpose, relief in lunatic asylums) is administered may, all other circumstances being equal, be summarized as follows—

1. The impotent who suffer through no fault of their own, including—

- (a) The constitutionally infirm, e.g. the blind.
- (b) Imbeciles of different kinds (principally in asylums).
- (c) Fatherless children, whether orphans or deserted or illegitimate.

2. The impotent who might have done better for themselves if they had exercised forethought or virtue, including—

- (a) Deserted wives ; women living apart from their husbands, or husbands from their wives ; families, where the head of the house is in gaol, or whose husbands or fathers are training in the fighting services.

- (b) Single or widowed or married women with illegitimate children ; women living by immoral means.

- (c) Persons who live with relatives (whether liable to maintain them or not) who are apparently able to support them.

3. The able-bodied who, having some ostensible means of gaining a living, require relief, including—

(a) Single able-bodied men, or women ; able-bodied widowers, or widows without children.

(b) Persons renting furnished rooms, but who show no possibility of improving prospects in the near future.

4. The able-bodied who prefer a life of idleness and licentiousness to one of industry and respectability, including—

(a) Persons residing in common lodging-houses ; amid insanitary or immoral surroundings ; or living upon the immorality of others.

(b) Mendicants who adopt a professional system of begging alms within either a certain town or area.

(c) Vagrants who wander through the country begging, or who adopt other illegal means of maintaining an existence.

## CHAPTER XIV

### FINANCE

#### ACCOUNTS.

THE General Order for Accounts, dated 14th January, 1867, provides that all the accounts of the Union and of the officers of the Union shall be closed at the end of every half-year, that is to say up to the 25th day of March and the 29th day of September in each year inclusively when such days occur at the end of the week established by the practice of the Union, and at other times at the end of such week first completed next after such days respectively. And the several officers keeping such accounts shall forthwith lay or cause to be laid their respective accounts so closed before the Board of Guardians.

By the Poor Law Unions (Dates for Closing Accounts, etc.) Order, 1910, dated 20th June, 1910, it is provided that the accounts of the guardians and of the officers of the guardians of every Poor Law Union shall be made up and closed, and the Financial Statement shall be prepared by the guardians to the Thirtieth day of September and the Thirty-first day of March in each year.

#### AUDIT.

In pursuance of Section 61 (1) of the Finance Act, 1921, the Lords Commissioners of H.M. Treasury made the Audit Stamp Duty (Local Authorities) Order, 1921, which applies to local authorities, including Boards of Guardians, and came into operation on the 24th December, 1921. This Order revises the Scale of Stamp Duties payable by all local authorities for any financial period ending on or after the 30th September, 1921.

#### STATUTORY FINANCIAL STATEMENT.

The Minister of Health, in pursuance of his powers under Sections 3 and 8 of the District Auditors Act, 1879, made the Financial Statements Order, 1921, which came into operation on the 24th December, 1921, the Schedule to which amends the form of the Half-yearly Statutory Financial Statement.

**EXPENSES.**

Expenses are raised equally throughout the Poor Law Union out of the Poor Rate, by means of precepts upon the Overseers of the Poor of each parish.

**LOANS.**

The Poor Law Act, 1889, Section 2 (2), provides that loans are limited to one-quarter or, by order of the Ministry of Health, one-half of the total annual rateable value of the Union, and are repayable within a period of not exceeding sixty years.

The Metropolitan Poor Law Act, 1867, Section 17, authorized the guardians to borrow to the extent of one-quarter of the total rateable value of the Union. The Poor Law Act, 1897, Section 2, repealed the Act of 1867 and made applicable to the borrowing of Metropolitan Unions the provisions of Section 2 (2) of the Poor Law Act, 1889, but with the substitution of "one-tenth of the rateable value of the district" for the words of "one-tenth of the total annual rateable value of the Union" referred to in the Metropolitan Poor Law Act, 1867.

**THE OVERSEER OF THE POOR.**

The Overseer of the Poor is the person or authority responsible for the making, collection, and recovery of the Poor Rate. The office dates from 1551, and became a permanent feature of local government in 1601. In 1834 the duties of the overseers with reference to the poor laws, which for two centuries they had administered, were transferred to the Board of Guardians.

The overseers are appointed annually on the 25th March or within fourteen days next after it, in each parish. In a rural parish they are appointed by Parish Council or Parish Meeting; or, if these neglect to do so, by the Board of Guardians. In an urban parish they are appointed by Justices of the Peace on the nomination of the vestry. Where the Borough Council or Urban District Council have obtained the powers of a parish under the Local Government Act, 1894, then the Overseers are appointed by the Council concerned.

This does not apply within the County of London, where, by the London Government Act, 1899, the Borough Councils are the overseers. Each Metropolitan Borough Council elects a Valuation Committee.

The qualifications of an overseer are that he must be a "substantial householder" male or female, within the parish. The

office is compulsory and unpaid. Where there is no fit inhabitant in the parish, an inhabitant householder of an adjoining parish may be appointed with his consent, in accordance with the Poor Relief Act, 1819. An appeal against appointment lies to the Justices in Quarter Sessions, and on a point of law to the High Court. The local authority may appoint a "discreet person" as assistant overseer under the control of the overseer. This, however, does not exempt the overseers from any of their responsibilities. The salary of the assistant overseer is paid out of the Poor Rate.

### POWERS AND DUTIES.

The powers and duties of the overseer include the preparation of Poor Rate Valuation List; the making, levying, and collecting the Poor Rate, under the Poor Relief Act, 1601, which now provides for other services in addition to poor relief, e.g. education. In accordance with arrangements made since the passing of the Representation of the People Act, 1918, the overseer provides assistance to the Registration Officer in the preparation of local government and parliamentary register of electors, list of objections thereto, and attendance at Revision Courts. He also affords assistance in the preparation of grand and common jury lists under conditions similar to the register of electors. The overseer may provide relief of the poor in cases of urgent necessity, including certifying pauper lunatics, but must report the circumstances to the Relieving Officer. He is required to keep prescribed accounts and is responsible for the submission of these to the District Auditor of the Ministry of Health. His miscellaneous duties include the supervision of the work of the assistant overseer.

### PREPARATION OF VALUATION LIST.

The principal duty of the overseer is the preparation of the Valuation List, which is a list of all the rateable hereditaments in the parish. It is a statement of the gross estimated rental and net value of all the rateable properties in the parish.

The list is prepared by the overseers and deposited in the same place as the rate books, and a copy sent to the Board of Guardians in accordance with the Union Assessment Committee Acts, 1862 to 1880. Public notice of the deposit of the list is published on all churches the following Sunday, and thereafter the list is open

for inspection for fourteen days. It is then sent to the Assessment Committee. Companies with registered offices outside the parish are notified of their assessments within twelve days.

**The Form of Valuation List.** The Form of Valuation List and Rate is prescribed by the Parochial Assessment Act, 1836, as amended by the Agricultural Rates Act, 1896. (See page 115.) The Metropolitan and Scottish forms differ from this. The form of Rate Book substantially reproduces the form of the Valuation List, with the addition of a column for the rate in the £. In the preparation of the list there are certain technical terms which require explanation—

(1) *Gross Estimated Rental* is the rent at which the property might reasonably be expected to let from year to year, free of all usual tenant's rates and taxes and tithe commutation rent charge, if any.

(2) *Rateable Value or Net Annual Value* is the gross estimated rental after deducting therefrom the probable average annual cost of the repairs, insurance, and other expenses, if any, necessary to maintain them in a state to command such rent.

(3) *Assessable Value* is the rateable value reduced by an amount equal to one-half of the rateable value of agricultural land.

(4) *Rate* is a charge the proceeds of which are applicable to public local purposes, and which is leviable on the basis of the assessment in respect of the yearly value of property.

**Principles of Valuation.** Certain principles of valuation have grown up as a result of common law and judicial decisions, and these may be briefly considered.

(a) *In the case of dwelling-houses* and premises let at a rack rent, or on short leases, the rent is usually taken as the basis for valuation. The actual rental paid, however, is not necessarily the standard of value.

(b) *Contractor's Rent*, or Substituted Building Basis. Where the particular hereditament is not let at a rack rent, such as schools, colleges, halls, hospitals, and clubs, the valuation is often based wholly or partly upon the principle of "contractor's rent," i.e. of adding together a percentage on the value of the site and a percentage on the cost or value of the buildings. This is also known as the Substituted Building Basis.

(c) *Competitive Value*. In certain other properties which are seldom or never let on the terms contemplated by the statute,

# FORM OF VALUATION LIST

AS PRESCRIBED BY THE PAROCHIAL ASSESSMENT ACT, 1836 ; AS AMENDED BY THE  
AGRICULTURAL RATE ACT, 1896

No.	Name of Occupier.	Name of Owner.	Description of Property.	Name or Situation of Property.	Estimated Extent.	Gross Estimated Rental	Rateable Value of Agricultural Land.	Rateable Value of Buildings and other Hereditaments not being Agricultural Land.

viz. : railways, canals, tramways, docks, waterworks, gas works, electric supply undertakings, etc., the "contractor's rent" principle is only partially applied, e.g. to the railway stations as distinguished from the line. In these cases, the main valuation is made upon another principle, that of receipts and expenditure. This appears to be based upon an inquiry as to the probable profit earning capacity of the undertaking. The rent which a tenant might give cannot, therefore, be determined by merely taking a percentage on the cost of construction. In such cases, the Courts have approved of a method of valuation, starting from the profit earned and arriving at the annual value of the rateable portion of the undertaking by a series of deductions. Many such properties extend into several parishes and counties. The valuations in such cases have to be made on the basis of what a hypothetical tenant might give for the portion of the undertaking in each parish.

**Appeal against Valuation List.** Within twenty-eight days from notice of deposit, the aggrieved person, the overseers, the parish council, or the parish meeting may give notice of objection both to the Union Assessment Committee and to the parishes or persons affected by the objection.

The objection must be on the ground of unfairness, incorrectness, or omission in the valuation, and must be in writing and in duplicate, one copy being sent to the overseers, and the other to the committee.

Appeals against the Valuation List are heard before the Union Assessment Committee. This committee consists of from six to twelve Guardians of the Poor, appointed under the Union Assessment Committee Act, 1862. It is the duty of the committee to secure uniformity and correctness of valuation throughout the Union. For this purpose a salaried valuer may be appointed, subject to the approval of the Board of Guardians. The work of the committee is not controlled by any Government Department, nor is the Central Government represented on the committee.

The Union Assessment Committee hold meetings to hear and determine objections after giving twenty-eight days' notice to the overseers, who publish the notice. The committee hear objections either personally or by counsel, solicitor or agent. The committee sit in a judicial capacity in which they hear the case of the objectors as appellants, and then that of the overseers as the respondents.

The Union Assessment Committee may make such alterations as they think fit, with or without objection, and at any time prior to the levying of the rate, and on any information.

After the list is altered it is re-deposited under conditions of original deposit. The committee hold further meetings for hearing objections to such alterations after from seven to fourteen days subsequent to re-deposit of the list.

### APPROVING THE LIST.

After hearing all objections the Union Assessment Committee approve the list by totalling the columns showing gross rental and rateable value, and by signature of three members of the committee present at the meeting, and by dating the list. The original is kept by the Board of Guardians. A copy signed by three members of the committee and countersigned by the Clerk of the committee is sent to the overseers. The parish totals of gross rentals and rateable value are sent to the Clerk of the Peace for the county in order to enable the county rate to be based upon them, if desired.

A person may make a further appeal from the committee to the Justices in Special Sessions, and from them to the Quarter Sessions. Notice of such appeal must be given to the Assessment Committee and the overseers affected. A parish may, by its Parish Council or other authority, appeal direct to Quarter Sessions. On questions of fact, the decision of Quarter Sessions is final. On a point of law a case may be stated for the opinion of the High Court.

The Valuation List remains in force until the Assessment Committee orders a new list to be prepared. Supplementary Lists must be made by the overseers whenever any new property becomes rateable or any property increases or decreases in value. The Supplementary Lists go through the same procedure as the Valuation List. In London new Valuation Lists must be prepared every five years. In Scotland a new Valuation Roll is prepared each year.

### RATES.

The Poor Rate Valuation is the basis for the following among other rates viz.—

- (1) General District Rate, Section 211, Public Health Act, 1875.

(2) General Expenses Rate of a Rural District, Section 230, Public Health Act, 1875 ; Section 29, Local Government Act, 1894.

(3) Highway Rate (where levied), Section 4, Highway Rate Act, 1882.

(4) Borough Rate, Section 144 (5), Municipal Corporations Act, 1882.

(5) Private Improvement Rate, Sections 213 and 232, Public Health Act, 1875.

**Making and Levying the Poor Rate.** By the statute of 1601 the overseers were to raise in each parish a stock "for setting the poor on work," to put poor children out as apprentices, and to furnish relief for the impotent poor. This was the origin of the Poor Rate, which the overseers are still required to make and levy. The procedure is as follows—

The various local authorities issue precepts (or orders) on overseers of the various parishes. The overseers estimate the rate required to produce the amount of the various precepts, together with overseer's expenses, and must sign the declaration in the rate book.

The rate is then prepared and allowed by two Justices, dwelling in or near the parish. This allowance is purely ministerial and the allowance cannot be refused. The making of the rate is held to date from its allowance by the Justices, and the overseers must immediately give public notice of the rate. The rate is levied—

(a) Under the Poor Relief Act, 1601, upon every inhabitant, parson, vicar, and other, and every occupier of lands, houses, tithes impropriate, appropriations of tithes, coal mines or saleable under-woods.

(b) Under the Rating Act, 1874, upon occupiers of mines of every description not in the 1601 Act ; land not subject to rights of common ; sporting rights when severed from the occupation of land.

(c) Under the Advertising Stations (Rating) Act, 1889, upon occupiers of advertisement hoardings. In this class of property the owner may be, and usually is, the person rated.

(d) Under the Agricultural Rates Act, 1896, upon agricultural land which is assessed at one-half the rateable value.

Occupation of the premises rated must be "beneficial." This does not mean that the occupation is pecuniarily profitable, e.g. sewers. What constitutes beneficial occupation is a question of fact which may have to be decided in the Courts. Appeal

against the rate lies to Special or Quarter Sessions, and may be made only by persons who have given notice of objection against the Valuation List, and have failed to obtain such relief as they consider just.

The rate is levied upon occupiers of the hereditaments, viz., the person entitled to exclusive possession, except in the case of—

(a) Tithe Rent charge.

(b) Property of small annual value where the owner is rated according to the situation of the property, viz.—

(i) Metropolis : not exceeding £20.

(ii) Liverpool : not exceeding £13.

(iii) Manchester and Birmingham : not exceeding £10.

(iv) Elsewhere : not exceeding £8.

Section 16 of the Increase of Rent and Mortgage Interest (Restrictions) Act, 1920, increases the limits of compounding for rates by 25 per cent if the premises are outside the Metropolis.

(c) Sporting rights when severed from the occupation of the land.

(d) Certain properties are subject to differential rating.

#### **Exemptions from Rating.**

(a) Property occupied by the Crown or used for the purposes of the Crown, although the Crown usually makes an *ex gratia* payment equal to the amount of the rate.

(b) Properties covered by the Scientific Societies Act, 1843.

(c) Sunday Schools and Ragged Schools, as defined by the Act of 1869.

(c) Registered places of worship.

(e) Lighthouses, buoys, and beacons as defined in the Merchant Shipping Act, 1894, are all exempted from rates.

The Statement of Rates Act, 1919, provides that from and after the first day of January, 1920, every demand or receipt for rent as may be payable under any statutory enactment by the owner instead of the occupier must state the amount of such rates. Such statement must agree with the last demands received by the owner from the rating authorities. The Act does not apply to weekly lettings at inclusive rentals in any market established or controlled by statute.

**Accounts.** The accounts of the overseer are made up half-yearly to the 31st March and the 30th September, and are audited by the District Auditor of the Ministry of Health.

## PART II

# THE SCOTTISH POOR LAW

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### CHAPTER XV

#### HISTORY OF SCOTTISH POOR LAW

THE history of Scottish Poor Law dates back very far. In ancient times the Clan was responsible for the maintenance of its poor in much the same way as we have seen that the feudal lord was responsible for the poor in England.

The earliest Scottish Poor Laws were mainly the Vagrancy Acts of the Scottish Parliament intended to suppress begging. These Acts began in 1424, when a sharp distinction was made between those who were physically and mentally capable of earning a living and those who from infirmity of mind or body were compelled to be dependent. The Act provided for the arrest and punishment of vagrants unless it was seen that they could not earn their living otherwise, in which case the sheriff in the county and the bailies in the burghs were to give them a badge as a licence to beg. Any one found begging without the badge was liable to branding on the cheek and banishment. This law proved ineffective and subsequent Acts increased the stringency of the punishment.

By an Act of 1449, the vagrants were to be imprisoned as long as they had any goods of their own to live upon, and then to have their ears nailed to a tree and cut off and themselves banished the country. If found begging again they were to be hanged. Further Acts were passed in 1455, 1457, and 1478 whereby vagrants were ordered to be summarily put to death as thieves.

The principle of these statutes is the principle which has always been the basis of the Scottish Poor Law and marks the cleavage between it and the English Poor Laws, viz., that no help should be given to the able-bodied. An Act of 1503, defined more precisely the folk who, being unable to win a living otherwise, were to be licensed to beg; these were, in the words of the Act, "the cruikit folk, blind folk, impotent folk, and waik folk."

An Act of 1535 marks the beginning of the Law of Settlement,

since it decreed that no beggar should be allowed to beg in any parish except that of his birth, and then only if he had a token from the head man of the parish. Each parish was to give tokens to its own beggars and to sustain them within its bounds. Up to this time there was no public provision for the relief of destitution, but as the Church and Feudalism lost their power, and there was no one to care for the poor, the State had to step in.

### THE SCOTTISH POOR LAW ACT OF 1579.

The disordered state of the country during Queen Mary's reign and the alienation of Church lands at the Reformation resulted in the Act of 1579, "For punishment of the Strang and Idle Beggars, and Relief of the Poor and Impotent."

This important Act takes the same place in Scottish Poor Law history as Elizabeth's Act of 1601 does in English, and like that Act remained till well into the nineteenth century as the foundation of the Poor Law system.

It ordered the apprehension of able-bodied vagrants and on conviction by the Justice in the county or the provost and bailies in boroughs, their scourging and burning through the ear. Their only chance to avoid these penalties was that some honest and responsible man should take them into his service for a year. A second conviction, which could not take place till a lapse of sixty days after the first, was followed by the death sentence.

The Justices in the county and the provost and bailies in the burghs were also directed to provide for the maintenance of the "aged, impotent and puir persons" born in the parish or having there resided for seven years, and, if necessary, to "tax and stent" the whole inhabitants of the parish according to the estimation of their substance. The taxation and stent roll was to be recorded and annually revised, and overseers and collectors were to be appointed.

Further provisions were that the aged and impotent folk might be required to perform suitable work, that beggars' children might be handed over by the authorities to any liege of honest estate to be kept in service till the age of twenty-four if male, or twenty-eight if female; that testimonials licensing the poor to beg their way back to their own parish were to be given by the authorities. Finally, the interpretation, explanation, supplement and full execution of the Act were reserved to the Privy Council.

In this way the two fundamental principles of the Scottish Poor Law came to be established, viz., the obligation of every parish to maintain its own infirm poor, and the rigid refusal of all relief to the able-bodied.

### THE KIRK SESSION.

The Act of 1579 does not seem to have proved a great success, and like most of the preceding Acts was only partially operative. It was especially to enlarge its sphere of operation in the Highlands, where the sheriffdoms were of long and wide boundaries, that an Act of 1592 gave to the Kirk Session, consisting of the minister and lay elders of the parish, power to nominate justices or commissioners to be responsible for the due execution of the law. For this purpose parishes could combine. In 1597 an Act placed the administration of the Poor Laws directly in the hands of the Kirk Sessions. A later Act of 1600 placed upon the Presbyteries, consisting of the minister and one lay elder from every parish within a certain area, the duty of supervision and report.

### JUSTICES OF THE PEACE.

The office of Justice of the Peace was introduced into Scotland from England in 1609, and to these justices was entrusted in 1617 the execution of the laws against vagrants, without, however, rescinding the powers of the Kirk Session. The appointment of the Justices of the Peace with their assistant parish constables appears to have been successful as there was little important legislation with reference to the poor until 1661, when an Act was passed which, after testifying to the successful work of the justices, gave into their hands practically the whole management of the poor.

Another Act of the same year ordered the Heritors of each parish to provide and pay for a fit person to instruct poor children, vagabonds and idle persons in textile manufacture.

In 1663 the owners of factories were given statutory right to the forced labour of vagrants and unemployed persons. These workers were bound to serve in all for eleven years, but the manufacturers had to provide them with food and clothing, receiving, however, from the parish twopence a day *per capita* for the first year and half that rate during the next three years.

If the parish of birth was not ascertainable, a three-years'

residence rendered a parish chargeable, and the money was to be raised by a stent, one-half on the Heritors and one-half on the tenants and occupiers. Hereafter the three years' residence as fixing the settlement of a pauper and the half-and-half method of assessment became regular features of the Scottish Poor Law.

### THE ACT OF 1672.

An Act of 1672 transferred the administration of the Poor Law to the Kirk Session working in association with the Heritors, who together formed the local authority, until 1845, acting under the central control of the Privy Council. Church collections with power to supplement by a half-and-half assessment formed the poor fund, and licences for begging might be granted to the impotent.

The able-bodied were not provided for otherwise than by placing them under the liability of seizure for forced labour in factories, coal mines, salt works or correction houses. On the abolition of the Privy Council the power to put the Poor Laws into execution was entrusted to the Court of Session. This ecclesiastical organization of poor relief, with funds drawn mainly from church collections but supplemented occasionally by a rate, was the system of poor relief down to the nineteenth century.

### THE POOR LAW AMENDMENT (SCOTLAND) ACT, 1845.

During the years 1818, 1834, and 1839 Reports were issued which were of considerable importance.

The secessions from the National Church during the early years of the nineteenth century culminating in 1843 had become very numerous and some method of supplementing the dwindling church collections was necessary.

In 1844 a Commission of Inquiry reported in favour of drastic changes in the administration of the Poor Law. In consequence of this Report the Poor Law Amendment (Scotland) Act, 1845, was passed which, in reality, introduced a new system and remains to-day the principal Act of the Scottish Poor Law.

This Act introduced into Scotland the "poorhouse" upon similar lines to the "workhouse" already in existence in England.

### THE BOARD OF SUPERVISION.

By the Act of 1845 central administrative control was introduced by the creation of the Board of Supervision. This Board consisted of nine members: the Lord Provost of Edinburgh and

Glasgow, representing the great urban centres, the Sheriffs-Depute of Perth, Renfrew, and Ross and Cromarty representing agricultural, mining and manufacturing and Highland areas respectively, the Solicitor-General for Scotland and three other persons appointed by Warrant under the Sign Manual. One of these last was a paid member giving regular attendance at the office in Edinburgh, and he became in practice the Chairman of the Board. There was also a paid secretary, while the sheriffs received remuneration for their services.

The general power of supervision and control with which this Board was entrusted exercised a most beneficial influence on the local administration. In 1894 the Local Government Board was established and replaced the Board of Supervision.

### THE PAROCHIAL BOARD.

The Act of 1845 provided that for local administrative purposes a Parochial Board was to be established in each parish. Where a legal assessment was not levied, the Kirk Session and Heritors remained the authority and constituted the Parochial Board. Should resort be had to a legal assessment, then the Parochial Board of a landward parish consisted of all the owners of land, and of heritages of the yearly value of £20 and upwards; of the provost and bailies of any royal burgh, if any, in the parish of not more than six members of the Kirk Session and of certain members (the number being fixed by the Board of Supervision) elected by such ratepayers as were not members of the Parochial Board. Thus there was no direct compulsion on any parish to levy a rate and therefore no compulsion for any change, except in name, of the local authority. The Parochial Boards were created as *ad hoc* authorities for the administration of poor relief. An Act of 1861 apparently took away the power of Parochial Boards to assess on means and substance. The Poor Law Loans and Relief (Scotland) Act, 1886, provided for certain administrative requirements. It is an important Act as regards loans and borrowing powers, etc. In 1894 the modern Parish Council was substituted for the old Parochial Board, took over the functions of the latter, and had new duties imposed on it. There has been little alteration in the administration of the Poor Law since 1894, the present machinery of which may now be considered.

## CHAPTER XVI

### THE SCOTTISH POOR LAWS OF THE PRESENT DAY

#### THE CENTRAL AUTHORITY

#### THE SECRETARY FOR SCOTLAND.

THE Minister in charge of the Government of Scotland is the Secretary for Scotland. Previous to 1885, the Home Secretary had charge of Scottish business, although from the Union in 1707 till 1746 there had been a Secretary of State for Scotland. In order to lighten the work of the Home Office, an Act was passed in 1885 making provision for the appointment of a Secretary for Scotland, to whom the transaction of the bulk of business relating to that country was transferred. This Secretary, who has sometimes a seat in the Cabinet, is Keeper of the Great Seal of Scotland. He is appointed by warrant under the Royal Sign Manual and (since 1892) merely by the delivery of the seal. The Secretary for Scotland holds also the offices of Vice-President of the Scottish Education Department and President of the Scottish Board of Health. In addition, he has the power to appoint the members of the Scottish Land Court and of the Board of Agriculture for Scotland.

#### THE LORD ADVOCATE.

As in the case of the other great departments, the Secretary for Scotland has a Parliamentary Under-Secretary. When the transfer of Scottish business was made, the Lord Advocate, on whom the Home Office had depended for advice in this part of its work, continued his services, and has since acted as Parliamentary Under-Secretary to the Secretary for Scotland. The Lord Advocate is one of the chief law officers of the Crown ; he is the legal representative of the Crown in Scotland—his office corresponding to that of the Attorney-General in England—and the legal adviser of the Secretary for Scotland and of any Government Departments that may desire to consult him. The office is a political one, the holder being a member of the Ministry but not usually of the Cabinet.

## THE SCOTTISH BOARDS.

The Secretary for Scotland is not only head of the Scottish Office but is also head of all the other departments of Scottish business. With the exception of the Education Department, the control of the great branches of administration is placed in the hands of Boards. The Scottish Boards are composed of a number of persons who, unlike most of the Boards for England and Wales, do meet periodically, and at all times take an active part in the control of the work. Each Board has a Permanent Secretary and staff, and each submits a report annually to the Secretary for Scotland.

## THE SCOTTISH BOARD OF HEALTH.

The Scottish Board of Health was established by the Act of that title in 1919, for the purpose of promoting the health of the people throughout Scotland. The Board of Health replaced the Local Government Board, which was established in 1894. The Scottish Board of Health Act, 1919, provides that the Secretary for Scotland may appoint a Parliamentary Under-Secretary for Health, who shall be responsible under him for the administration of the Board in the exercise and performance of all powers and duties under the Act. The Secretary for Scotland shall be President and the Parliamentary Under-Secretary shall be Vice-President of the Board by virtue of their respective offices. The Board consists of the appointed members of the former Local Government Board for Scotland, and two of the Scottish Insurance Commissioners nominated by the Secretary for Scotland. The Act provides that the Board shall at all times include two registered medical practitioners, one or more women, and a member of the Faculty of Advocates or law agent of not less than ten years' standing. The number of members (other than *ex-officio* members) shall at no time exceed six, and the appointments must be made by the Secretary for Scotland.

The Scottish Board of Health has had transferred to it all the powers and duties of the Local Government Board for Scotland, the Scottish Insurance Commission, the Privy Council, and of the Lord President of the Council under the Midwives (Scotland) Act, 1915. It has also had transferred to it the powers and duties of the Secretary for Scotland under the Rivers Pollution Acts, the Births, Deaths, Marriages Acts, the Vaccination Acts, and the Highlands and Islands (Medical Service) Grant

Act, 1915. The powers and duties of the Scottish Education Department with respect to medical inspection and treatment of children and young persons are also transferred. The Board may be assisted by Consultative Councils as in the case of the Ministry of Health in England.

The Scottish Board of Health, without possessing the power of issuing mandatory orders, exercises a general guidance and supervision over the administration. This is attained by the weight of advice and opinion. It employs General Superintendents and Inspectors to examine the books of the local authority, and to inquire and report upon the work of the local authorities and to publish such reports. It issues regulations and also possesses the power of dismissing or suspending the local Inspector of Poor. The Board also has the power of determining what shall be regarded as "adequate relief." It has power of applying by summary petition to the Court of Session to compel defaulting Parish Councils to perform their duties.

### THE GENERAL BOARD OF CONTROL.

The General Board of Control received its name in 1913, when the construction of the General Board of Commissioners in Lunacy, established by the Lunacy (Scotland) Act, 1857, was slightly modified. It consists of six commissioners, viz., an unpaid chairman, two unpaid legal commissioners, three paid medical commissioners, and four—at least one woman—deputy commissioners. Their duties in regard to the supervision of the insane are analogous to those of the English Board of Control.

### THE LOCAL AUTHORITY

#### PARISH COUNCILS.

The Local Government (Scotland) Act, 1894, swept away the Parochial Boards established in 1845 and created Parish Councils. These consist of from five to thirty-one members, the number of members being determined by the Town or County Council. Election takes place every third year on the same day, and in the same place and manner as the County or Town Council election. The Returning Officer is the Town Clerk in burghs and the County Clerk in rural parishes.

**Meetings.** A meeting of the Parish Council must be held within ten days after the first Tuesday in December, when the chairman

and also the representatives on the District Committees must be appointed for the ensuing year. Statutory meetings are held on the second Tuesday of December, May, July, and November, and there are also monthly meetings of the council. The chairman has a deliberative as well as a casting vote at all meetings. One-quarter of the whole number of the council—not being less than three—forms a quorum.

**Committees.** A Parish Council may adopt its own way of working, including the adoption of Standing Orders, and may delegate to committees any of its functions except that of raising money. Such committees include a Poorhouse Committee, Finance, Law and General Purposes Committee, and Relief Committee. Committees are authorized to appoint sub-committees of their number to carry out matters remitted to them.

**Duties.** The duties of the Parish Council include making suitable provision for those legally entitled to relief, and of making up the assessment roll, fixing the amount of the assessment and appointing a collector.

Destitution alone is not a sufficient claim to relief; the destitute person must be: (a) disabled; (b) a widow or deserted wife with children dependent on her; (c) orphan or deserted children. In Scotland, an able-bodied person in health has no legal right to relief. If refused relief, a person has the right of appeal to the Sheriff, who can order interim relief and require the inspector to appear before him and defend the refusal of relief. The Sheriff has no power to determine as to the adequacy or kind of relief offered. Fundamentally the English and Scottish Poor Laws are the same; as a person who is destitute will not long remain able-bodied. The Poor Law Emergency Provisions (Scotland) Act, 1921, authorizes for a limited period the provision of poor relief to destitute able-bodied persons out of employment in Scotland.

Applications for relief are made to the Inspector of Poor, who is bound to give an answer within twenty-four hours and to grant interim relief to such applicants as may be entitled to it until the next meeting of the Parish Council. The duty of the inspector is to make inquiries as to the resources of the applicant in a manner similar to that in operation in England.

The Parish Councils have recourse against relatives liable, who are able from any superfluity to contribute towards the maintenance of relatives who are chargeable on the rates, i.e. when persons become chargeable in the Poorhouse Hospital, the sons

or other relatives liable are sent for and their circumstances discussed, and if it is reckoned that they have a superfluity, the Relief Committee holds them liable in a contribution of varying amounts.

The Inspector reports to the Relieving Committee, usually consisting of a representative for each ward, who decide upon the nature of the relief as in England. For this purpose Report Forms are in operation upon similar lines to the Case Papers in England and Wales, which have been referred to in Chapter IX.

In Scotland, the ordinary poor, i.e. excluding the insane, are mainly provided for by outdoor relief.

Each Parish Council is the assessment authority for parochial rates. Each parish has duties imposed upon it under the Lunacy Acts. In the larger areas, such as Glasgow, Edinburgh, and Govan, the Parish Councils are responsible for the well-being of lunatics, etc., as explained below.

## SETTLEMENT.

There are four modes of settlement in Scotland—

1. By residence—acquired by three years' residence in one parish without having resort to begging or poor relief, and lost by four years' continuous absence.

2. By marriage—a married woman, even if deserted, acquires and retains the settlement of her husband during marriage.

3. By parentage—girls under twelve and boys under fourteen years of age have the settlement of the father, if he is alive, or, if he is dead, of the mother. Illegitimate children in pupilarity take the settlement of their mother.

4. By birth—to which settlement, in default of any other, a person reverts.

Those who are not chargeable to the Parish Council which is maintaining them are known as the "Stranger Poor," and wherever possible the cost of maintenance is recovered from the respective Parish Councils. Parishes in Scotland have no recourse against Parishes or Unions in England and Wales or Ireland, except as regards removal, and then only as regulated by Statute, i.e. some Englishmen and some Irishmen are under certain residential conditions irremovable. An enormous amount of litigation and case law has been set up over the years since 1845. The Poor Law Act, 1898, made provision for having disputed cases referred to the then Local Government Board for arbitration. Section 2 of the Poor Law Act, 1898, provides that: "In any

case where the Parish Council of two or more parishes in Scotland have differed as to the settlement of a poor person, but are agreed as to the facts on which such settlement depends, it shall be lawful for such Parish Councils to refer the case for determination by the Local Government Board, whose determination shall be final." This provision has been largely taken advantage of and is inexpensive, as the submission, once it is agreed on by the Inspectors and signed, is transmitted to the Board, who issue an award in due course.

### **MEDICAL RELIEF.**

There was no systematic Poor Law medical relief before 1844, before which provision was made by voluntary agencies.

The Poor Law Amendment (Scotland) Act, 1845, made it essential to provide proper medical attendance, and permissible to appoint a qualified medical officer for the poorhouse inmates. In 1847 Parliament commenced the annual Medical Relief Grant of £10,000 to be distributed by the Board of Supervision for the purpose of improving the medical service. The grant was doubled in 1882 and has since remained at £20,000. In certain Parish Councils the name Poor House has been departed from and the institution is referred to as Hospital. The idea is to break down the natural objection to that and similar terms.

### **LUNACY.—THE DISTRICT BOARDS OF CONTROL.**

Scotland is divided by the Central Lunacy Authority into lunacy districts, in each of which a District Lunacy Board is appointed, under the Lunacy (Scotland) Act, 1857. In the case of large areas, such as Glasgow, Edinburgh, and Govan, the district is sometimes a single parish, and the Parish Council then becomes the District Lunacy Board. In the smaller areas and rural districts there is a combination of districts in the county area for this purpose. The Board is elected annually by the County Council comprising the lunacy district, and by the magistrates of Royal or Parliamentary Burghs within such districts.

The Mental Deficiency and Lunacy (Scotland) Act, 1913, provides that one-third (as nearly as may be) of the total number of members allotted to each District Board of Control must be elected annually by the chairmen of the Parish Councils of parishes within the district. That Board is required to include two women, who may be co-opted. The Boards are responsible

for the well-being of all lunatics, as also for all insane and feeble-minded persons within their district. The duties of the Board are invariably delegated to committees, which include Mental Hospital, Finance, Law, and General Purposes Committees.

The Parish Councils have only the responsibility for pauper lunacy. The Poor Law (Scotland) Act, 1845, placed on the parish authority the duty of providing that all insane should be conveyed to and lodged in any asylum or establishment legally authorized to receive lunatic patients.

**Officers.** An Inspector of Poor must be appointed by the Parish Council, and it may appoint a Clerk, who may hold both offices. The Inspector cannot be dismissed without the consent of the Board of Health.

Other officers include Outdoor and Indoor Assistant Inspectors of Poor, Superintendent of Orphans and Lunatics, Visitors under the Children Act, 1908, and Collectors of Rates. There are also the necessary medical officers and superintendent governors, matrons, chaplain, stewards, and nurses of the hospitals and other institutions, as described in the preceding chapters on the administration in England and Wales.

## FINANCE.

**Rates.** The Parish Council raises the necessary funds to provide for the deficiency in the accounts by assessment upon the owners and occupiers. It collects the Poor Rate, the Lunacy Rate, and the Education Rate, which latter is paid to the Treasurer of the Education Authority.

The system of local authority accounts in operation in Scotland differs from the English method. There is greater central control and more minute prescription of procedure. The Government control is not in respect of the method of book-keeping itself, but, in the case of all local authorities, detailed Financial Statements are prescribed, and the system of accountancy must lend itself to the compilation of the annual statements. All such statements are made up to Whitsunday (15th May). A notable feature is the "receipts and payments" basis. Accounts kept on this basis do not lead to a proper balance sheet, although a "Statement of Assets and Liabilities" is required. The respective Government Departments have laid down rules for the valuation of assets.

In the case of parishes, distinction is required between heritable

and movable property (roughly real and personal property). The Valuation Roll shows only the annual value of heritable property, but not its capital value.

Statements of assets and liabilities are also analysed among the various funds of the local authority. To lead up to the Financial Statement separate accounts have to be kept of each assessment (as rates are called), and revenue and capital items distinguished in each account.

The Local Government (Scotland) Act, 1894, which constituted Parish Councils, contains regulations as to their accounts and finances.

The accounts of Parish Councils differ according to the type of parish. In burghal parishes and the burghal portion of landward parishes, many of the functions of local government devolve upon the Town Councils, as in England and Wales, and the accounts of the Parish Councils in these cases are merely those of the Poor Law Authority, being confined to poor relief.

In landward parishes, and the landward portion of composite parishes, in addition to the Poor Law Accounts, there are others relating to Allotments, Burial Grounds, Footpaths, Libraries, and Recreation Grounds. The Landward Committee in a composite parish keeps separate accounts, levies its own assessments and raises loans independently of the Parish Council.

Parish accounts follow the lines required by the Annual Abstract of the Scottish Board of Health in accordance with the Act of 1894, and the amended model Forms of Account issued by the Local Government Board in 1905. Three funds must be kept distinct, viz.—

1. A General Fund of services transferred from the defunct Parochial Boards.

2. A Special Fund of services newly conferred by the Local Government (Scotland) Act, 1894.

3. Mortification Accounts, being accounts relating to charitable bequests.

The Abstract requires the following particulars, viz.—

1. Valuation of Parish showing each assessment district separately.

2. Assessable Rental (rateable value) and assessment in the pound.

3. Collection Account for each assessment and apportionment between owners and occupiers.

4. Current and Capital Accounts for each assessment.
5. General Abstract of Receipts and Payments and indebtedness of the Parish Council.
6. Statement of Loans.
7. Mortification Accounts.
8. General Balance Sheet, showing Assets and Liabilities.
9. Library Committee's Account.
10. Auditors' Certificate.

With regard to the Library Committee's accounts, however, the provisions of the Public Libraries (Scotland) Act, 1920, directs that the Library Committee's accounts are to be audited as part of the accounts of the rating authority making the largest contribution to the expenses.

### AUDIT.

The accounts of all local authorities in Scotland are audited by persons appointed by the responsible Government Department, professional accountants being appointed. The Scottish Board of Health appoints the auditors of the accounts of the Parish Councils and fixes their salaries according to scale. The audit follows the lines prescribed for County Councils by the Secretary for Scotland. It is a Public Audit and has to be advertised, giving the day and the hour of the audit, which is usually held in the Parish Council office. The books and vouchers, etc., are open to inspection. Auditors have no powers of disallowance and surcharge as possessed by District Auditors in England and Wales.

The Local Government (Scotland) Act, 1894, provides that after the audit the Abstract of Accounts must be published in an abbreviated form in a local newspaper.

### LOANS.

The consent of the Scottish Board of Health is required for loans raised for the purposes authorized by Part IV of the Local Government (Scotland) Act, 1894. The security for such loans is the Special Parish Rate. The loans are regulated also by the Poor Law Loans and Relief (Scotland) Act, 1886. Where the amount of loans owing by a Parish Council exceeds one-fifth of the Poor Law annual value, the consent of the Board is necessary before another loan can be raised. This does not apply to a temporary loan under the Poor Law (Scotland) Amendment Act, 1845.

## PART III

# PROPOSALS FOR REFORM

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### CHAPTER XVII

REPORTS OF THE POOR LAW COMMISSION, 1909

#### **FAULTS IN THE POOR LAW LEGISLATION.**

No account of Poor Law legislation can be considered complete without some reference to, or proposals for, the reform of the English Poor Laws. There is, however, in such circumstances, a tendency to thrust before the reader facts and ideas of an impossible and impracticable character. On the other hand, the research necessary to produce even the most inadequate account of the development of the Poor Laws, must give to the student opportunity to observe the faults which have crept into the working of the legislative machine, and to suggest means of meeting the difficulties.

That reform is necessary is admitted by all who have considered the subject. How, and in what manner it will be carried out is, as yet, unknown ; but some improvements are necessary if we are to avoid civil rebellion. At the present time nearly a million persons are dependent for the means of subsistence upon those who are fighting to maintain themselves. At the same time, the struggle for commercial supremacy increases ; trusts and combines are thrusting trade into the hands of the few to the disadvantage of the many ; while the too-old-at-sixty standard has been reduced to a too-old-at-forty theory, leaving more and more human derelicts to fall into the chasm.

#### **REFORM NECESSARY.**

The reform must be two-fold ; centrally and locally. The amount of work which is now controlled by the Ministry of Health has increased to such an extent that it is beyond the powers of the department thoroughly to administer it. The

appointment of the proposed Ministry of Commerce to supplant the Board of Trade should be followed by the creation of a Ministry of Industry. To the Minister of Industry should be given the duty of controlling the amended Poor Law. It should be the duty of this Minister—in conjunction with the Minister of Commerce—to regulate and control all combinations such as trusts, where the interest of the industrial community may be affected. To this might be added a discretionary control of large capital expenditure by local authorities, by preventing the carrying out of large works of public utility, except in cases of urgency, without first securing the sanction of the Central Authority. By this means, large public works could be put in hand in times of trade depression, when labour and materials would be comparatively cheap. The present tendency of local authorities to carry out large capital works in times of trade revival is much to be deplored. Not only is the principle economically unsound, but it results in the citizen having to pay an unreasonable amount for works of public utility, the revenue from which is afterwards seriously hampered by a sinking fund and interest charges heavier than would have been the case had the works been executed at a time of trade depression.

### EDUCATE THE CITIZEN.

In considering the proposals for the new local authority it must be remembered that many social reforms have followed the Act of 1834. The Reform Act of 1832 has been followed by the Acts of 1867, 1885, and 1918, which have practically established adult suffrage. The Municipal Corporations Act, 1835, which reformed our town councils, has been followed by the consolidating Act of 1882. A free educational system and an unfettered Press have placed in the hands of the masses the opinions of the greatest statesmen and thinkers of this and other ages. There remains, however, a lamentable lack of interest in the work of Boards of Guardians, which the reformers of 1832 did not anticipate. We find that at that distant date the members of the Boards of Guardians included the Duke of Richmond, the Duke of Rutland, the Earls of Liverpool and of Kerry, Lord Salisbury, the Marquis of Exeter, Lord Ellenborough, and a number of others of both political parties. To-day, we find the approaching election for membership on the Board of Guardians a sign for a renewal of petty parochial differences,

sectarian controversies and personal quarrels far removed from the subject of pauper legislation. The citizen must be educated to a better understanding of his responsibilities in this connection, so as to introduce a healthier tone into the election of the members of the local authority. The citizen must recognize the fact that the time has come when he must give his time and thought, as well as his money, to the service of his fellow men.

By Section 10 of the Local Government Act, 1888, authority is given to the Ministry of Health to make from time to time a provisional order for transferring to County Councils any powers, duties and liabilities of any Government Department, thus providing for decentralization of administration. It is recognized that the Local Government (County Councils) Act, 1888, supplemented by the Local Government (Parish and District Councils) Act, 1894, has done much to improve the local government of the country.' In proposing the County Council as the new local authority for Poor Law purposes, it may be assumed that this body is fully competent to deal with the vast amount of additional work which would devolve upon it. The authority of the County Councils—including in this term the County Boroughs, constituted by the Act of 1888—is exercised over every acre of land in the country, while its powers of delegation are sufficiently numerous to allow for an elasticity of action to meet the special requirements of any locality.

### RATE COLLECTING.

The electorate of the County Council embraces practically every male and female who would be qualified for the local government list of voters, while the Municipal Corporations Act, 1882, could readily be amended to include this. In addition, the constitution of the body as the executive authority would enable the County Rate to be collected simultaneously with the Poor Rate. The large expense at present entailed in the collection of separate rates by different collectors, covering the same ground at different periods of the year, together with the necessary duplication of accountancy work which the present system requires, demands the careful consideration of the reformer. The ratepayer each year is called upon to meet an additional outlay of an enormous sum of money for which no appreciable return is

given. In order to secure economical administration, the person who calls the tune should also pay the piper. In other words, the authority who levies the rate should be responsible for the expenditure of the funds. In like manner, the electors would have full control over the public funds which they are now called upon to supply. With these principles in view, consideration may be given to the national proposals for reform, which have been before the public for some years.

## REPORTS OF THE POOR LAW COMMISSION, 1909.

The Royal Commission on the Poor Laws and Relief of Distress was appointed by warrant of His Majesty on the 4th December, 1905. The terms of reference of the Commission were as follows—

(1) To inquire into the working of the laws relating to the relief of poor persons in the United Kingdom ;

(2) Into the various means which have been adopted outside of the Poor Laws for meeting distress arising from want of employment, particularly during periods of severe industrial depression ; and to consider and report whether any, and if so what, modification of the Poor Laws or changes in their administration or fresh legislation for dealing with distress are advisable.

The members of the Royal Commission who were originally appointed were—

The Right Hon. Lord George Hamilton, G.C.S.I. (Chairman).

The O'Connor Don.

The Right Hon. Sir Henry Robinson, Vice-President of the Local Government Board for Ireland.

Mr. Charles Booth, F.R.S.

Sir Samuel B. Provis, K.C.B., Permanent Secretary to the Local Government Board for England.

Frank Holdsworth Benthall, Esq., J.P., ex-Chairman of the Bradford Board of Guardians.

Dr. Arthur Henry Downes, Senior Medical Inspector for Poor Law purposes to the Local Government Board for England.

The Rev. Thory Gage Gardiner, M.A., Clerk in Orders.

George Lansbury, Esq., member of the Borough Council and Board of Guardians for Poplar, and the Central Unemployed Body for London.

Charles Stewart Loch, Esq., B.A., LL.D., D.C.L., Secretary of the London Charity Organization Society.

James Patten MacDougall, Esq., C.B., Vice-President of the Local Government Board for Scotland.

Thomas Hancock Nunn, Esq., member of the Hampstead Board of Guardians, and sometime Chairman of Hampstead Distress Committee, and of the Classification and Employment Exchanges Committees of the Central Unemployed Body for London.

The Rev. Lancelot Ridley Phelps, M.A., Fellow of Oriel College, Oxford, and Vice-Chairman of Oxford Board of Guardians.

William Smart, Esq., M.A., D.Phil., LL.D., Adam Smith Professor of Political Economy, University of Glasgow.

The Rev. Prebendary Henry Russell Wakefield, M.A., Alderman and ex-Mayor of the Borough of St. Marylebone, and Chairman of the Unemployed Body for London.

Mrs. Bosanquet, Mrs. Sidney Webb, and Miss Octavia Hill.

The following changes took place in the personnel of the Commission. The Rev. Dr. Denis Kelly, Bishop of Ross, Ireland, was appointed to fill the vacancy caused by the death of the O'Connor Don. Mr. Francis Chandler, Secretary to the Amalgamated Society of Carpenters and Joiners and ex-Chairman of Chorlton Board of Guardians, was subsequently appointed. Mr. Charles Booth resigned for reasons of ill-health before the conclusion of the work of the Commission.

## THE REPORTS.

The reports were issued under date 4th February, 1909, and are probably the largest which have ever been issued by any Royal Commission. There were two reports, viz.—

(1) Majority Report signed by 14 Commissioners, viz.: Lord George Hamilton, Bishop Kelly, Sir H. A. Robinson, Sir S. B. Probis, Mr. Bentham, Dr. Downes, Mr. Gardiner, Mr. Loch, Mr. Patten MacDougall, Mr. Nunn, Mr. Phelps, Professor Smart, Mrs. Bosanquet, and Miss Octavia Hill. Separate memoranda setting forth certain modifications or reservations were appended by Dr. Downes, Mr. Loch, Mr. Nunn, Mrs. Bosanquet, and Miss Octavia Hill.

(2) Minority Report, signed by four Commissioners, viz.: Prebendary Russell Wakefield, Mr. Chandler, Mr. Lansbury, and Mrs. Sidney Webb.

The Commission, which had been sitting a little over three years, held 209 meetings, examined 452 witnesses orally, and received statements of evidence from about 900 persons who were not examined orally. The number of oral questions answered exceeded 100,000. In addition, a number of special investigators devoted attention to personal and local investigation in typical districts. Labour colonies on the Continent were visited by some of the Commissioners. These sources of information were supplemented by reports of diocesan inquiries in each parish in Great Britain, dealing with subjects included within the scope of the Commission, and based on replies of the parochial clergy. A great body of statistics was prepared for the use of the Commission by Government Departments and a number of other authorities and persons, and statistical inquiries were undertaken by them. Some individual Commissioners also devoted themselves to particular aspects of the inquiry.

Mr. R. G. Duff acted as Secretary, with Mr. John Jeffrey and Mr. Edward J. E. Craven as Assistant Secretaries.

### THE CHIEF REASONS FOR REFORM.

The chief reasons for reform, as stated in the reports, were—

(1) Pauperism was as rife as it was forty years previously.

Dealing with the pauperism since 1871, the Commission says—

“An examination of the statistics for the period since 1871 shows that pauperism moves in cycles of similar duration to the cycles of employment, but that the turning points are from one to two years later than the turning points in the cycles of employment. There were four cycles of pauperism since 1871, falling within the years 1871–79, 1880–87, 1888–95, and 1896–1908 respectively. The mean number of paupers annually relieved were—

1871–79	:	748,000	or	31	per	1,000	of	the	population.
1880–87	:	712,000	or	26	“	“	“	“	“
1888–95	:	694,000	or	24	“	“	“	“	“
1896–1908	:	718,000	or	22	“	“	“	“	“

“This solid mass of about three-quarters of a million paupers, a heterogeneous population exceeding in size that of the City of Liverpool, whose lives the Poor Law regulates daily and almost hourly has remained at this high numerical level throughout the period of forty years. When the details of

these figures are examined it is found that comparing the last cycle with the first, the number of children has decreased 18 per cent, the number of women by 2·4 per cent, but that the number of men has increased 18·4 per cent. Thus the figures in bulk mask an immense increase in male pauperism which chiefly occurred during the last cycle since 1896."

(2) Expenditure on Poor Relief has grown out of all keeping with the number relieved.

Statistics are available for upwards of a century. In the year ended Lady Day, 1834, the year in which the first Royal Commissioners reported, the expenditure was £6,317,255 or 8s. 10d. per head of the estimated population. It had grown to this amount from £1,556,804 in the year 1775-6. The highest point was reached in the year 1817-18 when the expenditure was £7,870,801 or 13s. 10d. per head of the estimated population. In the year 1905-6, the latest for which the figures had been published, the expenditure was £14,035,888 and the amount per head of the estimated population was 8s. 2½d. Compared with the population therefore, the expenditure is only 7¼d. per head below the 8s. 10d. of 1833-4. The great increase in expenditure has occurred chiefly since the year 1887-8. While the expenditure per inhabitant has increased from 7s. 0¼d. to 8s. 3¾d. since 1871-2 and is only 7¼d. less than it was in 1834, the expenditure per pauper has increased from £7 12s. 1d. to £15 12s. 6d. in the same period. The country is maintaining a multitude of paupers not far short of the numbers maintained in 1871-2 and is spending more than double the amount upon each individual.

(3) The calibre and ability of the average guardian is not high enough through lack of interest in elections.

It is found that in many places guardians are still interested chiefly in administering relief to their near neighbours, while the publicity given to their work by means of newspaper reports makes them even more liable to undue pressure from their constituents. There is a general apathy of voters in regard to Poor Law elections. In London only 28 per cent of the electorate poll; the votes which are recorded at the guardians' elections are only one-third of the number at the Parliamentary elections. In the country the position seems much the same.

(4) Consequently business is mismanaged, and a great deal of distress is untouched by the Poor Law.

The results of the election of the class of guardian referred to are lack of uniformity of practice as between different boards, due to limitation of outlook and the undue regard to pressure of local conditions, and in the second place the flagrant disregard of business methods in dealing with actual cases.

(5) The Union bears no definite relation to other authorities, who now perform functions which overlap the work of the guardians. It may be claimed that there is at present a complete aloofness between the Poor Law and other services of local government which has in the past permitted the growth of apathy in both administrators and electorate.

### UNANIMOUS RECOMMENDATIONS.

Unanimous recommendations are made by both the Majority and the Minority Reports and may be summarized as follows—

(1) Abolition of Boards of Guardians, and the enlargement of the area of administration from the Union to the County and County Borough. The chief reason for the enlargement of the area of administration is that the small area means the existence of only the general workhouse. The average area at present cannot afford to support anything but one general mixed workhouse. Classification of the necessitous, however, is an essential part of the recommendations of the Commission with regard to methods.

(2) Classified Institutions instead of the General Mixed Workhouse.

In order that this may be carried out, it is requisite that there should be Classified Institutions instead of the General Mixed Workhouse. The Commissioners showed that the reasons which in 1834 led to the union of isolated parishes in order to obtain the benefits of co-operation are equally applicable at the present day. The hope in 1834 was that by enlarging the Poor Law area from the parish to the union, general workhouses might be abolished, and separate institutions established, and adopted for different classes of paupers. These aspirations, however, were never fulfilled. The evils of general mixed workhouses, which were thoroughly realized in 1834, persist in the general workhouse system of to-day.

(3) Charitable Aid to be organized.

The Commission in pursuance of the terms of their reference reviewed the relations between charity and the relief of distress.

The charities of the country, endowed and voluntary, represent a very large force and considerable means which are at the disposal of the community for the relief of distress. The charities, both endowed and voluntary, are often checked and hampered by regulation, tradition and procedure in such a way as to render them, like the Boards of Guardians, self-centred and exclusive. They stand aloof from each other and from the Poor Law, and the Poor Law from them. The Commission consequently proposed a scheme of organization of voluntary aid.

(4) Improved administration of Out Relief.

The chief recommendations with regard to Out Relief are—

(a) That it should be given only after thorough inquiry, except in cases of sudden and urgent necessity.

(b) That it should be adequate to meet the needs of those to whom it is given.

(c) That persons so assisted should be subject to supervision.

(d) That, with a view to inquiry and supervision, the case-paper system should be adopted everywhere.

(e) That such supervision should include in its purview the conditions, moral and sanitary, under which the recipient is living.

(f) That voluntary agencies should be utilized as far as possible for the personal care of individual cases.

(g) That there should be one uniform Order governing outdoor relief.

(5) Children to be removed from Workhouses.

It will be seen on reference to the previous chapter on the Administration of the Poor Law that the majority of these recommendations have been adopted.

The evidence was almost unanimous as to the good results obtained under the various systems of education and training in force. Few children so educated and trained fall back into pauperism in after-life, and it is probable that the children in some, at least, of the present Poor Law schools are being better fitted for earning their living than those educated outside. The Commission placed in the forefront of their recommendations the opinion that effective steps should be taken to secure that the maintenance of children in the workhouse be no longer recognized as a legitimate way of dealing with them. It will have been observed that that recommendation has been carried into effect.

(6) Central Control to be extended and the number of higher

officials to be increased, and the status and salary of the President of the Local Government Board should be raised to that of one of His Majesty's Principal Secretaries of State. This has been carried into effect. In 1919 the Ministry of Health replaced the Local Government Board.

(7) Old Age Pensions, and State Insurance against Sickness and Unemployment should be provided. This also has been effected.

(8) The Unemployed Workmen Act, 1905, should be allowed to lapse as soon as the new system comes into operation.

In addition to the foregoing recommendations both the Majority and the Minority Reports contained recommendations which were not unanimously adopted by the Commissioners.

These may now be considered in the succeeding chapters.

## CHAPTER XVIII

### MAJORITY RECOMMENDATIONS

THE Majority Recommendations (other than those included in the previous chapter) are as follows—

1. Public Assistance Authorities instead of Boards of Guardians, viz. : Committees of County or County Borough for administration purposes, charged with the duty of administering Public Assistance (the new term for Poor Law).

The area of the Public Assistance Authority shall be coterminous with the area of the county or county borough. Any Union area which at present overlaps a county or county borough, shall be divided up so that each part of it will be attached for Public Assistance purposes to the county or county borough within the boundaries of which such part is at present situated. The Public Assistance Authority shall be a Statutory Committee of the county or county borough council constituted as follows—

(i) One-half of the members to be appointed by the council of the county or county borough, and the persons so appointed may be persons who are members of the council.

(ii) The other half of the members to be appointed by the council from outside their number, and to consist of persons experienced in the local administration of public assistance or other cognate work.

(iii) The actual number of members of the Public Assistance Authority in each case and from time to time, to be determined by the Ministry of Health after consideration of a scheme submitted on the first occasion by the council of the county or county borough and on subsequent occasions by the Public Assistance Authority.

(iv) Women to be eligible for appointment under either head (i) or (iv).

The powers and duties of the Public Assistance Authority would, subject to the regulations and general control of the Ministry of Health be as follows—

(a) To set up and supervise the Public Assistance Committees for investigating and deciding applications for assistance and for dealing with applicants in accordance with the regulations of the Ministry of Health.

(b) To make rules and standing orders for the guidance of the Public Assistance Committees.

(c) To dissolve any Public Assistance Committees subject to assent of the Ministry of Health.

(d) To organize, provide and maintain the institutions necessary for the supply of sufficient and suitable assistance within their area, or to combine with other Public Assistance Authorities for that purpose and to be responsible for all contracts and stocktaking.

(e) To provide for the cost of the administration of public assistance within their area, and, generally, to undertake financial responsibility for such administration.

(f) To appoint and allocate to the Public Assistance Committees such officers as are necessary for their work.

The expenditure of a Public Assistance Authority shall, in the case of a county, be paid out of the county fund in the same way as the expenditure of a standing joint committee is payable under Section 30 of the Local Government Act, 1888.

In the case of a county borough, the expenditure should be made payable by the town council out of the borough fund.

2. Public Assistance Committees for an area as far as possible coterminous with one or more rural or urban districts to be partly nominated by urban and rural district councils, and where a Voluntary Aid Committee has been established, a certain proportion nominated by that committee.

The following will be the duties of the Public Assistance Committee, under rules laid down by the Public Assistance Authority—

(a) To make careful inquiry into the circumstances and condition of all persons applying for assistance within their area with a view to ascertaining the cause and nature of their distress.

(b) To review periodically the circumstances and condition of persons in receipt of assistance.

(c) To investigate the means of persons liable for maintenance and to take the measures necessary for the recovery of the assistance given.

(d) To sub-divide their area, when desirable, for the purposes of local assistance, subject to the assent of the Public Assistance Authority.

(e) To determine in the case of each person applying for or

receiving public assistance whether such person is by law entitled to home assistance.

(f) To decide upon the best method of assisting applicants with a view to removing the cause of distress.

(g) To co-operate with the Voluntary Aid Committee with a view to the assistance of cases of distress.

(h) To co-operate with other public and voluntary agencies.

(i) To inspect, supervise, and administer the Public Assistance Authority's institutions within their area and such other institutions as the Public Assistance Authority shall direct.

(j) To secure periodical visitation of all cases in receipt of home assistance.

(k) To make half-yearly an estimate of their expenditure and requirements, and submit it to the Public Assistance Authority who shall from time to time remit such sum or sums as shall be necessary.

(l) To control and supervise the officers assigned to them by the Public Assistance Authority.

(m) To furnish the Public Assistance Authority from time to time with such information concerning the proceedings and work of the committee as the authority may require.

(n) To discharge such other duties as the Public Authority from time to time may call upon them to undertake.

3. Voluntary Aid Councils are to be created for the area of a Public Assistance Authority and Voluntary Aid Committees for the area of a Public Assistance Committee.

The duties of the Voluntary Aid Councils would be for the most part supervisory. The executive work would be assigned to the Voluntary Aid Committees. The functions of the latter would be to aid : (1) persons in distress whose cases do not appear to be suitable for treatment by the Public Assistance Committee ; and (2) applicants for public assistance whose cases have been referred to the committee by the Public Assistance Committee.

4. County and Local Medical Assistance Committees are to be created consisting of representatives of the Public Assistance Authority or Public Assistance Committee, together with representatives of the Health Committee of the County Council or County Borough Council and the local branch of the British Medical Association. The committee shall have power to co-opt representatives of local hospitals, county or county borough

nursing associations, dispensaries, and registered friendly societies. The duties of Medical Assistance Committees are to provide medical relief on a provident basis.

5. Institutional Treatment should be curative and restorative with periodical revision of cases.

6. Outdoor Relief should be given only after thorough inquiry. It should be adequate to meet the needs of those to whom it is given. Persons so assisted should be subject to supervision, and the case-paper system should be everywhere adopted.

7. Public Assistance Service should be established for local administration with qualifying examinations for higher officers. A scale of officers' salaries should be approved by the central authority, and a Central Superannuation Fund established for the whole service.

## CHAPTER XIX

### MINORITY RECOMMENDATIONS

THE Minority Recommendations (apart from those included in Chapter XVII) are—

**1. Necessitous persons** to be divided into two classes—non-able-bodied and able-bodied.

(a) **NON-ABLE-BODIED** to be dealt with by existing committees of the county and county borough councils, viz.—

(a) Education Committee: Children of school age (not being sick or mentally defective).

(b) Health Committee: The sick and permanently incapacitated; the infants under school age, and the aged needing institutional care.

(c) Asylums Committee; Mentally defective of all grades and all ages.

(d) Pensions Committee; Aged to whom pensions are awarded.

These committees to be supervised by the appropriate Government Departments, viz.—

(a) Education Committee to be responsible to the Board of Education.

(b) Health Committee to a new Public Health Department, whether a Division of the Local Government Board or a distinct Department (a proposal for a Ministry of Health).

(c) Asylums Committee to the proposed successors of the Lunacy Commission (now Board of Control).

(d) Pensions Committee to whatever Department takes charge of the administration of the Old Age Pensions Act, 1908 (viz., the Ministry of Health).

(b) **ABLE-BODIED** to be dealt with by an authority charged only with this specific duty.

For organizing the national labour market so as to prevent or minimize unemployment, a new Ministry of Labour should be established. The Ministry of Labour should include six distinct and separately organized divisions each with its own assistant secretary, viz.—

(i) The National Labour Exchange;

(ii) The Trade Insurance Division;

- (iii) The Maintenance and Training Division ;
- (iv) The Industrial Regulation Division ;
- (v) The Emigration and Immigration Division ;
- (vi) The Statistical Division.

No young person under eighteen should be employed for more than thirty hours per week. All young persons so employed should be required to attend for thirty hours per week at suitable trade schools, to be maintained by the local education authorities.

The hours of duty of railway, tramway, and omnibus workers should be reduced, if not to forty-eight, at any rate to not more than sixty in any one week as a maximum.

The Government should undertake the regularization of the national demand for labour and should, for this purpose, and to the extent of at least £4,000,000 a year, arrange a portion of the ordinary work required by each department on a ten-years' programme. £40,000,000 worth of work for the decade being then put in hand, not by equal annual instalments, but exclusively in the lean years of the trade cycle. This work would be paid for out of loans for short terms raised as they are required, and being executed with the best available labour, at standard rates, engaged in the ordinary way. In this ten-years' programme there should be included work of afforestation, coast protection and land reclamation, to be carried out by the Board of Agriculture exclusively in the lean years of the trade cycle.

For the ultimate residuum of men in distress from want of employment, who may be expected to remain, after the measures now recommended have been put in operation, maintenance should be freely provided, without disfranchisement, on condition that they submit themselves to the physical and mental training that they may prove to require.

For persons convicted of such offences as vagrancy, mendicity, or neglect to maintain family there should be detention colonies of a reformatory type.

**2. Registrars of Public Assistance.** There should be established in each county and county borough one or more officers, to be designated Registrars of Public Assistance, to be appointed by the county and county borough council, and to be charged with the three-fold duty of—

(1) Keeping a public register of all cases in receipt of public assistance ;

(2) Assessing and recovering, according to the law of the

land and the evidence as to sufficiency of ability to pay, whatever charges Parliament may decide to make for particular kinds of relief or treatment ; and

(3) Sanctioning the grants of home aliment proposed by the committee concerned with the treatment of the case.

The new Registrar of Public Assistance should have under his direction (and under the control of the General Purpose Committee of the county or county borough council) the necessary staff of inquiry and recovery officers, and a local receiving-house for the strictly temporary accommodation of non-able-bodied persons found in need, and not as yet dealt with by the committee concerned.

**3. Imperial Grants-in-Aid.** The present Grants-in-Aid should be replaced by Grants-in-Aid of local services to defray all or part of the expenses of the county and county borough committees, previously referred to.

The payment of such Grants should depend upon the efficient performance of the services, but regard should also be had to the poverty of the district so as to ensure a national minimum of efficiency. These grants should be governed by detailed regulations, and accompanied by systematic inspection and audit.

## CHAPTER XX

### REPORT OF THE LOCAL GOVERNMENT SUB-COMMITTEE OF THE MINISTRY OF RECONSTRUCTION, 1918

#### APPOINTMENT OF COMMITTEE.

VERY drastic and far-reaching proposals are contained in the report of the Local Government Sub-Committee, appointed by the Ministry of Reconstruction in July, 1917, under the chairmanship of Sir Donald Maclean, "To consider and report upon the steps to be taken to secure better co-ordination of public assistance in England and Wales, and upon such other matters affecting the system of local government as may from time to time be referred to it." The Committee was composed of Mr. Robert Donald, Managing Editor of the *Daily Chronicle*; Sir George Fordham, County Alderman, Cambridgeshire; Sir Robert E. Fox, Town Clerk, Leeds; Mr. F. W. Goldstone, M.P.; Lord George Hamilton; Mr. G. Montagu Harris, Secretary of the County Councils Association; Mr. Spurley Hey; Mr. R. C. Norman, L.C.C.; Sir S. B. Provis, late Permanent Secretary to the Local Government Board; Dr. John Robertson, Medical Officer of Health, Birmingham; Mr. A. V. Symonds, Local Government Board; and Mrs. Sidney Webb. Mr. R. J. Duff of the Local Government Board, acted as Secretary to the Sub-Committee. Sir George Fordham found himself unable to attend the later meetings of the Committee and, consequently, retired from it. Mr. R. J. Curtis, Sir Robert Morant, Mr. H. G. Pritchard, Secretary of the Association of Municipal Corporations, and Mr. J. H. Thomas, M.P., were subsequently added to the Committee.

The report was issued as a White Paper on 23rd January, 1918, without the committee hearing any evidence or giving the Poor Law Unions Association an opportunity to express their views. The most important recommendation is the abolition of Boards of Guardians and the Poor Law Unions and the transference of the functions of these bodies to the county and the county borough councils. The general mixed workhouse, the committee state, would, under their scheme, cease to exist as an institution.

## PRINCIPAL PROPOSALS.

The fundamental principles which the committee state they have followed are, broadly: (1) the concentration as far as practicable in one authority in each area of the responsibility for all administration of services from local rates; (2) the absorption of the work of the Poor Law authorities by existing county and municipal authorities, and the abolition of the general mixed workhouse; (3) the concentration in one committee in each area, to be called the Home Assistance Committee, of all grants in money or kind for home assistance; and (4) the concentration in the Public Health Committee of the council of all provision for the sick and infirm, in the Education Committee of all provision for children of school age, and in the Asylums Committee of all provisions for persons of unsound mind, always under the several specified Acts. In the case of the administrative counties, other than London, the committee proposed to put boroughs and urban districts, having a population exceeding 50,000, in the same position of autonomy as if they were county boroughs.

The manner in which it is intended that these principles should be applied to the existing local authorities appear from three schemes drawn up for the county boroughs, for London and for the other administrative counties respectively.

Looking to the future, the report suggests that the existence of a Home Assistance Committee, entirely unconnected with the Poor Law and free from any suspicion of using the "workhouse test" or the policy of "deterrence," would permit of the merging with it at some future date both the Old Age Pension Committee of the Council and the Local War Pensions Committee under the Ministry of Pensions.

The chief recommendations of the committee are as follows—

## ABOLITION OF THE BOARDS OF GUARDIANS.

The committee recommended the abolition of Boards of Guardians and of the Poor Law Union, and the merging of all functions of the Poor Law authorities in those of the county council and the county borough council.

The provision at the expense of the rates, with or without Exchequer grants, for the sick and infirm (including maternity and infancy and the aged requiring institutional care), should be made by the council under Public Health Acts suitably extended. The council should organize such preventive and

curative treatment as the cases individually require by means of their specialized institutions and medical staff.

The provision for all children able to attend school (including residential and special schools of all kinds) should be regarded as predominantly a matter of educational training, and should be made by the local education authority under the Education Acts suitably extended.

The provision for the mentally deficient and for persons of unsound mind, whether certified or not, including all institutions appropriated by these classes, should be made by the council under the Lunacy and Mental Deficiency Acts, suitably extended, and through the committee or committees administering their powers under these Acts.

### UNEMPLOYED ABLE-BODIED.

The committee recommended that the county or county borough council should be required to appoint in substitution for the existing authorities under the Poor Law and under the Unemployed Workmen Act, 1905, a new committee to be entitled "The Prevention of Unemployment and Training Committee," formed on the lines of the Education Committee, and including representatives of employers' associations and of organized labour. The committee should exercise the powers of the council as to—

(i) Preventing unemployment by procuring such a re-arrangement of the council's works and services as to regularize the local demand for labour.

(ii) Facilitating through the Employment Exchanges the finding of situations.

(iii) Making use of any form of educational training in co-operation with the Education Committee as much as possible.

(iv) Assisting migration.

(v) Creating and administering, whether by themselves or in federation with other local authorities, any specialized provisions of the kind required by the unemployed.

### HOME ASSISTANCE COMMITTEE.

The committee recommended that the county or county borough council should be required to appoint a new committee to be styled "The Home Assistance Committee," formed on

the lines of the Education Committee, which should be charged with—

(i) The duty of making the necessary inquiries into the economic circumstances of applicants for, or recipients of any form of assistance in money, kind or service, wholly or partly provided out of rates or taxes, eligibility for which is dependent on the pecuniary need of the person or family concerned, or for which payment is legally recoverable.

(ii) The general supervision of all recipients of such assistance and their dependants.

(iii) The administration of all such assistance in money or kind given in the home of the applicant.

(iv) The exercising of the powers of the guardians of acquiring the rights and powers of parents as regards any children maintained by them who are orphans or whose parents are unfit to have the care of them.

(v) The duty of seeking, in co-operation with the appropriate committee, institutional treatment for any applicant or the dependant of any applicant for whom such treatment is required.

(vi) The recovery, from persons liable by law, of expenses in respect of accommodation, maintenance, treatment, and services rendered.

(vii) The duty of keeping a register (which should not be open to public inspection) of all families within the area, any member of which is in receipt of assistance, as above defined, together with particulars of such assistance.

Certain of the recommendations of this Committee were included in the Ministry of Health Bill, 1920, which was introduced into the House of Commons by Dr. Addison, when Minister of Health. The Bill was defeated in the House of Lords.

## PART IV

# SOCIAL ADMINISTRATION

### CHAPTER XXI

#### SOME CAUSES OF POVERTY

##### THE EXTENT OF POVERTY.

THE problem of poverty may be best considered by summarizing the conclusions of writers of authority upon this subject. Probably the work which is most familiar is *Poverty ; a Study in Town Life*, published in 1899, by Mr. Seeböhm Rowntree, who made a careful estimate of the minimum sum on which families of various sizes sustain life. Mr. Rowntree distinguished between "primary poverty" and "secondary poverty." A family was in "primary poverty" where the total earnings were insufficient to obtain the minimum necessities for mere physical efficiency. A family was in "secondary poverty" where the total earnings were sufficient for physical efficiency if some portion of it had not been absorbed by other expenditure, either useful or wasteful.

After a careful house-to-house investigation it was found that in York, a small provincial city, in a year of normal trade, 9·91 per cent of the population were found to be living in "primary poverty," and 17·93 per cent in "secondary poverty" —a total of 27·84 per cent living in poverty.

The Rt. Hon. Charles Booth in his work, *The Life and Labour of the People of London*, published in 1891, estimated that 30·7 per cent of the population "lived in the perpetual grip of poverty," owing to the family earnings being less than 21s. per week.

A more recent inquiry was conducted by Professor A. L. Bowley and others in four typical provincial towns and published in 1913 in *Livelihood and Poverty*. From this it would appear that similar conditions exist in other parts of the country.

##### DISTRIBUTION AMONG PERSONS.

Sir Leo Chiozza Money, in *Riches and Poverty*, estimated that in 1904 about a million and a quarter persons belonged to families with an income of more than £700 a year ; another three and three-quarter millions to families with incomes between £160 and £700, and thirty-eight millions to families with incomes of less than £160 a year. He concluded that more than one-third

of the entire income of the United Kingdom is enjoyed by less than one-thirtieth of its people. Professor A. L. Bowley in *The Change in the Distribution of the National Income*, published in 1920, estimated the income, wages, etc., in the United Kingdom, 1910, as follows—

	Number of Incomes. Thousands.	Aggregate Income £	Percentage of Numbers.	Total Aggregate Income.
Wages . . . . .	14,800	720 Mn.	74.2	39
Intermediate Income . . . . .	4,050	335 "	20.3	18
Income Assessed to Tax—				
£160–700 . . . . .	880	250 "	4.4	15
£700–5,000 . . . . .	200	415 "	1.0	22
£5,000 . . . . .	12	150 "	.06	8
	<u>19,940</u>	<u>1,870 "</u>	<u>100.00</u>	<u>100</u>

These figures in the main were confirmed by the Reports of the Royal Commission on the Poor Law and Relief of Distress, which were issued in 1909. Moreover, these Reports confirmed many of the causes of poverty which had been suggested by various writers on sociology.

This apportionment must not be over-emphasized, as it is admitted to be little more than a rough estimate based upon statistics compiled by various writers from different sources at different times. Nor should income be considered the sole test even to determine whether a family is in poverty or not. There are families with incomes within the figure of primary poverty where the care of the housewife enables them to live with reasonable efficiency. On the other hand, there are many instances where thoughtless expenditure on the part of husband or wife or both keeps a family constantly on the poverty line which otherwise might reasonably be expected to live in comfortable circumstances.

It may, however, be safely inferred that prior to the European war many families in the land were fated to exist rather than to live. They were inadequately housed, and were constantly faced with the problem of deciding whether to economize in food or in rent. Expenditure on clothing was inadequate and in the poorest classes practically all clothing was either bought second-hand, or was received gratuitously from various agencies.

### CAUSES OF POVERTY.

The causes which lead to a state of poverty and which eliminate possibilities of escape from it are many and varied.

The late Mr. Charles Booth in his desire for completeness gave no less than twenty-three. Writers upon the subject are agreed, however, as to the main contributory causes responsible.

The principal causes of primary poverty according to Mr. B. S. Rowntree are : in regular work but at low wages ; largeness of family ; death of chief wage earner ; illness or old age of the chief wage-earner ; and irregularity of work. The causes of primary poverty which tend to render that state permanent and hopeless may be said to be low wages and casual or lack of employment.

The secondary causes of poverty are more difficult to classify, involving, as they do, social and personal factors. Chief among these are drink and gambling with attendant evils affecting the individual and unhappily, but inevitably, the family also. Environment and hereditary traits largely influence the standard of life resulting in social conditions, customs and habits which produce physical, moral, and mental degeneration. Indiscriminate charity, though it may have relieved the need of the hour, has only succeeded in fostering and encouraging a looseness of character and want of self-reliance, which have left the individual still more helpless.

Immobility of labour has, until recent years, contributed to the increase of unemployment and consequently of poverty.

Finally, the question of age enters very considerably into the causes of poverty. It results in incapacity or inefficiency of work ; and, while all cannot expect to escape the evils attendant upon advancing years, much can be done by the exercise of provident habits in early years to mitigate the problem. Those who are in the grip of poverty—primary or secondary—cannot provide for the future when unable to meet the minimum demands of the present.

## INDUSTRIAL UNREST.

The result of such conditions has been reflected in the world-wide industrial unrest which is one of the many consequences of the Great War. Industrial unrest, partially obscured by the more arresting incidents of war, had already begun to make itself felt during the period 1911 and 1914. It is not a cause for wonder that discontent is rampant among workers ; rather would it be strange if it were not so. Often the discontent is indefinable, merely a sense of grievance not clearly expressed. But it is apparent that, in addition to their dissatisfaction with

the conditions of industry, the workers have a further and deeper complaint which they cannot quite interpret. They feel that they are pawns in a game to make other men wealthy. Their drudgery is embittered by suspicion and they are conscious of little satisfaction in the social conditions as they exist to-day.

This is particularly so in the trades and industries in which the rate of remuneration is small. It is felt by the worker and his family that the return, inadequate as it is as a wage, results in providing insufficient food and material for the home. But this is not all. Until the National Insurance Acts, low wages meant that many small matters of health which might be put right were neglected and allowed to develop. Even at the present time quite a number of grievances, as, for example, the relations between landlord and tenant, have to be tolerated. On the other hand, it should be remembered that lowness of wage is a less evil than uncertainty of wage. It may be affirmed that at the time of writing £4 a week is the lowest wage for the maintenance of a man, his wife and family, if such maintenance is to provide for more than mere existence on the poverty line.

### THE STANDARD OF LIVING.

One of the methods of dealing with a large percentage of poverty is to raise the *efficiency* of wages, and to remove the obstacles which prevent labour securing for itself a reasonable sale. One of the unexpected results of the Great War was the raising in many ways of the standard of living among many of the working classes. Wages in themselves do not constitute any final values. The standard of living is the final test as to whether poverty is being eliminated or no.

The report of the committee appointed to inquire and report upon the actual increase since June, 1914, in the cost of living was issued in October, 1918. Among other points, the committee reported : " That in June, 1918, the working classes, as a whole, were in a position to purchase food of substantially the same nutritive value as in June, 1914. In fact, unskilled workmen were slightly better fed at the latter date in spite of the rise in the cost of food. That the clothing cupboards from which exceptionally necessitous children used to receive garments before the war, are no longer resorted to. That there has been a remarkable decline in pauperism during the war, and since, which by July, 1918, was two-thirds what it was in July, 1914."

It is the fear that the employing class, with the assistance of the Government, are endeavouring to lower this standard that has produced many of the recent industrial disputes. The further fall in the cost of living and the subsequent reductions in wages have only emphasized this point.

### UNEMPLOYMENT.

In dealing with the question of unemployment, a distinction should be drawn between the different kinds of unemployment. There is the man who has been in regular employment and has lost it, and the man who is always in and out of work from either personal or seasonal causes, over which he has no control. A common cause of unemployment is to be found in the weakening of character and a dulling of ambition to which the very poor and those to whom life is hard are most subject. The desire to depend upon others, a want of will-power to remain self-dependent, are characteristics of those who, through continued periods of unemployment, are reduced to a level below the poverty line. This is a question which appears to have been overlooked recently. The lessening of the evils of casual labour to almost negligible proportions should not be an insuperable task, given intelligence and good will. The Dock Clearing House scheme which has been in operation in Liverpool for some years is evidence of such a possibility. It is described in the chapter dealing with Employment Exchanges.

### THE ADOLESCENT.

Irregularity of work may best be prevented by dealing with the adolescent and avoiding blind-alley occupations. The adolescent presents considerable difficulties to the social worker. It is necessary to approach the problem of the adolescent stage from the physiological, psychological, and ethical standpoint. To many workers the age of youth presents a variety of interesting aspects and a proper understanding of them demands sympathy, tact, and discretion. In many instances there has been in the past little assistance within the family circle in the right selection of work in order to avoid the pitfalls of blind-alley employment. We spend a great amount of thought, time, and money on the education of the child from 5 to 14 years of age, yet it is undoubtedly true that much too large a part of this excellent work is lost to the nation by almost criminal weakness in the sequence.

The logical outcome of these years is the right choice of employment, and it is at this critical juncture that some scientific control should be exercised to prevent the school-leaver being used in his employment for his present commercial utility only and without regard to his later functions as a producer, consumer, and citizen.

### BOY LABOUR ON THE DOCKS.

A report recently issued by the Liverpool Juvenile Employment Committee at the instigation of the Ministry of Labour of an investigation into conditions of boy labour on the docks at Liverpool, bears particularly on this aspect, and reveals a state of affairs which should no longer be tolerated. The report deals with boys of the casual class, scalers and rivet-lads, and states that boys are allotted tasks in ships which have an injurious effect on their health, that these tasks are frequently repulsive and that a short term on such work is sufficient to render these lads "quite a pitiable sight." All school children are periodically examined during their school days by the doctor, and a careful record is kept of their medical history, but this supervision comes to an abrupt end when the schooling terminates. The report states "that when a large proportion of the lads employed on the docks set out in the mornings to work, or to compete for work on the stands, in a badly-rested, ill-fed condition, it is difficult to escape some responsibility if their attitude is anti-social and predatory." The public conscience has been aroused to the evils inherent in a system of casual dock labour to an extent that some attempt to modify the worst effects in the Clearing House registration scheme is the result. On the other hand, the scalers and rivet-lads are without the scope of this scheme and remain subject to methods of engagement that are barbaric in their incidence and have already been condemned as deleterious to the adult docker. The National Council of Social Service in a report upon the question of economy in public expenditure, while acknowledging the need for economy is paramount, says of those public services which bring to the country a return in social well-being that "if their efficiency is impaired the community will in the end pay more for police and pensions, workhouses, hospitals, asylums, etc., while the indirect loss will be incalculable." The Report on the Dock Boys, after describing in detail their occupations, conditions of their labour, and environment, goes on to say "the conditions of the work develop

tendencies of an anti-social nature, and the fate of lads employed on the docks is very little better than that of street arabs, who accept their position as outside social life, and in defence adopt an Ishmaelish attitude for their own protection and support. It is of little use to urge the practice of virtue ; what is urgently needed is the modification of the type." The report connects these features of dock life with the unfortunate scenes which followed the Liverpool Police Strike in August, 1919, when, according to the Head Constable : " The sudden withdrawal of police protection resulted in an outbreak of lawless disorder, looting, and violence. . . . The cost to the city in the payment of riotous damage claims amounted approximately to £120,000." During that period there were scenes of disorder and hooliganism that were a disgrace to the City of Liverpool. Shop windows were broken and the contents completely cleared, while the mob, in which the juvenile element predominated, gave itself up to an orgy of unrestrained looting. " To what degree," the Report most pertinently asks, " are the conditions at the docks responsible for the deplorably defective citizenship these occurrences reveal ? " If, then, this is the present effect of casual industrial employment on the character of the adolescent, what hope of training a good type of citizen lies in the future when the limited expenditure for educative and social work may be reduced ?

### JUVENILE EMPLOYMENT EXCHANGES.

The Juvenile Employment Exchanges are doing a work of incalculable value throughout the country. It is a considerable advance on previous conditions to be able to send a boy to a job instead of his wandering aimlessly looking for work. Through the co-operation of the school teachers, a boy or girl, at the outset of his or her career, is put in the most suitable employment, and an attempt is made to find suitable openings for those who possess special ability. The boys and girls are encouraged to come to the Juvenile Employment Exchange, with or without their parents or guardians, where they may receive advice. The Juvenile Employment Officer or After-care Visitor can advise as to their work, make suggestions as to continuation and technical classes and recommends membership of boys' or girls' clubs. The opportunities for social service as After-care Visitors are dealt with later.

### SOCIAL CONDITIONS.

The problem of drink is one which must be considered from all standpoints—physiological, economic, and moral. Excessive drinking is due in part to custom, weak will, and to a natural love of excitement. One aspect of the drink problem is to be seen in the enormous revenue accruing to the State from this trade. While prohibition or local option may prevent people from getting drunk by cutting off the supply, it is always possible to evade the restrictions. Something more than the absence of opportunity is needed. What is required is a nation that is alive to the evils of excessive drinking and strong enough in character to leave the drink alone even when it is within reach.

There are certain social evils of which drink is not the cause, but which are accepted as reasonable excuses for indulgence. In the industrial areas are insanitary dwellings, over-crowding, low wages, unemployment, immorality, and similar evils. Intemperance is a cancer which has its roots in the general disorder of modern civilization. It is embodied in the philosophy of human emotions.

It may be claimed, therefore, that the complexity of the inter-relations of the social evils, which are some of the causes of poverty, demand that we shall not fall into the error of supposing that by tackling any one of them singly we are likely either to get rid of it or to solve the social problem. The subject is much broader and deeper than that, for the reforms must strike at the root of the whole social structure of society as it exists to-day. There must be an awakening of a social conscience, civic as well as national. It is not to be wondered at that the man who works long hours at a monotonous task and returns to a closed-in tenement in a slum, seeks forgetfulness in drink. It is, according to his outlook, the one escape from the monotony of his existence.

### LICENSE RESTRICTIONS.

At the same time we must not forget the evils of proceeding to the other extreme. In 1874 an article in *The Times* drew the eyes of the nation upon "Drunken Liverpool." The deplorable state of the borough, as regards both its moral and its sanitary condition was described in language humiliating to every self-respecting citizen. The essaying, as a remedy, "free trade in licenses" increased the number of public-houses by 24. The

subsequent increase in crimes of violence was traced to the prevailing intemperance of the people. In that year, seven murder cases were tried at the Assizes. The Head Constable also reported 23,303 cases of drunkenness out of a population according to the 1871 census of 493,405, but only three publicans were convicted of "permitting" drunkenness. At the suggestion of the Chairman of the Licensing Justices, Sir James Picton, a committee of citizens, known as the Citizens' Vigilance Committee, was formed under the chairmanship of the late Reverend Robert Henry Lundie, D.D. One of the results of the work of that Committee may be seen in the report of the Chief Constable, that in 1921, with a population according to the census of that year of 753,353, there were only 6,386 persons convicted of drunkenness.

#### **GAMBLING.**

No less important is the evil of gambling, not only at race-meetings, but also in connection with the football and other forms of sport. It is not too much to say that many hours are devoted by the workers to the competitions which are now promoted by periodicals, and to the local "sweeps" which are to be found in nearly all our works. Nor does this end here, for women of all classes are equally prone to the habit, and the evil not only extends to youths but to school children also. Mere preventive measures are not sufficient. There should be some form of Government control adequate as a moral safeguard.

#### **ORGANIZATION OF SOCIAL SERVICE.**

Society must, therefore, provide something to replace these unhealthy conditions both of mind and body. There must be reform. The first step towards obtaining reform is to desire it. The next to insist upon effecting it. There are people who are conscious of the horrors of certain aspects of our civilization and who desire to remedy its defects. They are to be found in all classes of the community and are not confined to any one political organization or religious denomination. There has been a steady growth of opinion in the direction in recent years within the nation. There are many persons in all classes of the community who find our urban areas enervating, our housing of the working classes intolerable, and our industrial methods humiliating. It is from among these classes that there has arisen the demand for the organization of social service which now claims attention.

## CHAPTER XXII

### THE ORGANIZATION OF SOCIAL SERVICE

#### SPIRIT OF SOCIAL SERVICE.

THE growth of the spirit of social service which has inspired so much of our social legislation and has called into being so many of the voluntary organizations for the uplifting of the workers of the country is one of the finest features of the past century. Its value is manifold both to the nation and to the individual.

An individual dragged down by poverty has not infrequently lost something else besides wealth, in the ordinary meaning of the term. His position is damaged, he has lost heart and energy, and sometimes, but by no means always, even self-respect ; and the necessities of his family may best be met by other agencies than that of the Poor Law. For, notwithstanding legislative provision, there are many needs which can be met only by personal service. These facts have led, step by step, to the gradual drawing together of the work of voluntary organizations, and that of the organized staffs of local authorities. For a long time interchanges of help and information have taken place between these bodies, which have resulted in great benefit to those who stand in need of assistance. The local authorities always welcomed co-operation, and no one would be slow to perceive the value of organizing the co-operation of voluntary workers, tried, experienced, and closely in touch with the real conditions of life of the struggling masses of the people. Openings readily present themselves, as, for example, in connection with the children of our urban areas. The children constitute the section of the community which has the strongest claims, and, at the same time, presents the most promising field for combined action. Simple health rules for school children are equally applicable to the brothers or sisters, younger or older, who might not be at school. For many years prior to the passing of the Act relating to the medical inspection of school children, a large share of the attention of the Health Committees of the more progressive local authorities was given to the welfare of children, and so far as special legislation allowed, the interests of that section of the community had been safeguarded. Still

more recently, the local authorities, acting through the Maternity and Child Welfare Committees, have been enabled to adopt beneficent and useful measures long before the child attains the age of school life. The condition of the school child is commonly an index to the condition of those at home. The voluntary agencies, acting through After-Care Committees, can render valuable service in following up those school children whose parents have neglected to comply with notices given them by the school medical inspectors. The visitors can keep in touch with children whose school life is ending, and who leave with defects still not fully remedied. An entirely different matter in which the co-operation of the visitors can be of inestimable value to the local authorities, who realize the value of housing from a national standpoint, is the sanitary condition of the home. While the general inquiries are being made, there may be instances where the visitor would consider it necessary to inform the Medical Officer of Health of doubtful cases of sickness, which may have occurred in the home. In giving relief in kind, special attention may be given to the condition of infants, and the Health Committees apprised of any exceptional conditions. The operations of the voluntary organizations have thus been directed to the uplifting of the masses, not only by seeking out deserving cases and the giving or withholding of relief, but in many other ways.

### HEALTH CONDITIONS OF FACTORIES.

In other directions, also, the value of organized social service is apparent. The health conditions of factories and workshops became more urgent as the activities of the Ministry of Munitions developed, giving further stimulus also to the welfare work which enlightened employers had undertaken for many years prior to the Great War. With this was also developed the care and training of the juvenile workers, as illustrated by the work of the education authorities under the Choice of Employment Act, 1910, and of the Juvenile Advisory Committees in connection with the Employment Exchange. No less important also has been the work under the Trade Boards Acts, with the consideration of the wages of women in industry, the consequent necessary amendments of the Factory and Workshops Acts, and the reduction of the hours of work and the limitation of overtime. In another sphere, also, the social worker has found his opportunity. The

juvenile delinquent requires attention and guidance in order to make a useful citizen of him. To do this properly, attention must be given to the beginnings and causes of juvenile delinquency. The effects of imprisonment on the criminals and alternatives to imprisonment and modification of prison treatment require consideration also. The effect of heredity, in regard to both feeble-mindedness and inebriety, as factors in the development of potential criminals, have been subjects which have engaged the attention of the social worker.

### CHARITY ORGANIZATION SOCIETY.

As far back as 1818 the Society for the Suppression of Mendicity was founded in London, and in 1820 a society was projected in Liverpool "for the purpose of collecting reports and records of charitable institutions," but nothing came of the latter. In 1868 a paper was read by the Reverend Henry Solly before the Society of Arts which resulted in the formation of the Charity Organization Society in London. The movement, under the able guidance of Mr. (now Sir) C. S. Loch, spread through the country, and at its zenith embraced similar societies in over 100 towns. These met annually in conference. Soon after came the famous circular of Mr. Goschen on the relation of Poor Law relief to charitable effort, but comparatively little resulted from that circular, owing to the fact that there were only two ways of bringing those direct lines of work into co-operation. One was the line adopted by Mr. Vallance, Clerk of the Whitechapel Guardians, which practically abolished the giving of out relief by the guardians, leaving that to the charitable voluntary efforts, and the guardians confining themselves to institutional relief. That policy had worked with extraordinary success, but there had not been many examples of that sort. It was a bold thing to do, requiring a very strong man and a perfect organization to separate absolutely out relief from the Poor Law. The alternative, which had not been adopted until quite lately, was to institute a round table conference, where the representatives of the different agencies could meet face to face and treat things together in consultation. That was the spirit which could give new life to the circular of Mr. Goschen, supplemented in more recent years by circulars which the Ministry of Health has issued, arising out of the report of the Royal Commission on the Poor Law.

## GUILDS OF HELP.

By 1906 the Guild of Help movement had developed as a result of the efforts in Bradford and other northern towns of England, modelled to some extent upon the Elberfeld system of relief. The movement spread more rapidly in the individual towns of the North and Central England. It embraced some 70 towns, and to stimulate the work a National Association of Guilds of Help was formed. This movement and the Charity Organization Society movement gradually drew closer together and, due in a large measure to their joint deliberations, the National Council of Social Service was formed.

## COUNCILS OF SOCIAL SERVICE.

This movement has been further stimulated by the publicity given to Mr. Hancock Nunn's Memorandum in the Report of the Poor Law Commission of 1909. The first embryo Council was that formed in one of the London suburbs, by the energy of Mr. Hancock Nunn, and known as the Hampstead Council of Social Welfare.

On 25th October, 1909, acting on a recommendation of the Poor Law Commission, a representative meeting took place in the Liverpool Town Hall, when it was moved by the Lord Mayor (Mr. H. Chaloner Dowdall), seconded by Mr. H. H. Hornby, then Chairman of the Charity Organization Society, supported by Mr. Ralph Brocklebank, and others, and agreed that "A council should be established to form a centre of communication between the charitable institutions in the city and also between them and the Poor Law authorities." No fewer than 100 of the principal charities of the city joined the council, and the Boards of Guardians and City Council Committees also nominated representatives. There are some 50 Councils of Social Welfare now existing, the work of which may be illustrated from that of the Liverpool Council of Voluntary Aid.

## THE LIVERPOOL COUNCIL OF VOLUNTARY AID.

The representatives of the various charities have been distributed into the various group committees into which the council has been formed as follows : medical charities ; homes and other institutions for the aged and incapacitated ; relief in the homes ; children's institutions and homes ; reformatory agencies ; social improvement, and education.

The Medical Charities Committee have had under consideration the most suitable arrangement for the medical treatment of children who are pronounced by the school medical officers as being in need of such treatment. Another matter is the adoption of regulations as to hospital out-patients, with a view to ensuring the advantages of free treatment for all who need it, while safeguarding the interests of the hospital, the medical staff, and the general practitioners of the city, and avoiding anything tending to weaken the spirit of independence and self-help, to preserve which is the desire of all those interested in sound social conditions.

The question of arousing personal interest and securing personal service in the various forms of benevolent activity ; the economical supply of stores to institutions ; the care of the feeble-minded ; the transfer of inmates of penitentiaries to other places, when this is necessary, in order to separate them from old associations ; the Children Act ; all these and other matters have been before the different committees, while it has been found possible to circulate information on several practical points among those institutions concerned.

## REGISTRATION SCHEMES.

One of the most important objects contemplated by the Councils of Social Welfare was a general register of persons receiving charitable relief, whether from voluntary agencies or from public bodies. There are some 68 towns with these schemes, which originated in Manchester and in one of the London suburbs. The nature of the work may be understood by taking the registration scheme of the Liverpool Council of Voluntary Aid. This work is under the control of a Register Committee, including certain *ex-officio* members, such as the clerks and other representatives of the Boards of Guardians and of the Ministry of Health. The urgent necessity of such a register not merely to prevent overlapping, but to facilitate co-operation in relieving distress, had long been felt and was demonstrated by the difficulty in administering the Town Hall Unemployment Fund in the winter of 1908-9, when the problem to be confronted was one affecting the town as a whole. The expense of maintaining such a register is necessarily considerable, and, as the Council does not desire to compete with individual charities in applying for subscriptions, the difficulty might have been insuperable had it

not been for the generous support of the three Boards of Guardians who, with the sanction and encouragement of the Ministry of Health have made annual grants for that purpose.

The Finance Committee of the Corporation of Liverpool have parliamentary power to contribute an annual grant to the same object.

The register contains items of information concerning the individual or families assisted, together with a record of the form of help or care rendered by the body co-operating. As soon as two bodies are found to be interested in the same case the particulars are noted, and a memorandum is promptly sent to each.

An essential feature of the register is its strictly confidential character. By means of a special system of filing, information becomes available only when a second agency is interested in the case. Further, the memoranda sent out are for the use of the contributing bodies only.

Owing to the cost of the register being borne by public money, the bodies participating are supplied with forms, envelopes, and the necessary postage stamps, free of any charge.

Some bodies notify the register of the case after their assistance has been given, others inquire of the register before they assist. The latter procedure is to be preferred, wherever possible.

Social workers and those engaged in the administration of assistance are invited to visit the register, and have its general working explained to them. It must, however, be very carefully noted that the register is not open to the public, and these visits will not permit of the visitors seeing the actual records.

To religious organizations the register is of particular service. It has often been brought to the notice of the registrar, by clergy and ministers, that valuable time which would otherwise be occupied by parochial duties, is taken up by cases requiring help or advice. When the applicant is not intimately known there has been, previous to the existence of the register, always a danger of needless overlapping with other organizations, resulting in more harm than good. In many instances, parochial funds do not permit of assistance for an extended period, and the clergy are thus compelled to restrict their efforts to the exigencies of the immediate crisis. This position is intensified in the poorer neighbourhoods, where a large proportion of the

population is forced, for various reasons, such as unemployment or ill-health, to seek help.

The scheme of registration has proved to be of benefit both to the body helping and also to the person assisted, or cared for. With regard to the former, a saving of time in making inquiries is often effected ; information already obtained is confirmed or supplemented ; the personal interest of the individual visitor deepened ; unnecessary overlapping is stopped, and needless expenditure prevented. With regard to the latter, the information received from the register often indicates new lines for future action, and facilitates co-operation, where advisable, on the part of the bodies interested. The applicant, too, is saved investigation by several bodies—a process which is demoralizing, no less than annoying.

Co-operation between different bodies is at times facilitated if the registrar arranges for them to meet at the office of the registrar. This can always be arranged by request.

The work of the Liverpool Council of Voluntary Aid has from the first been under the inspiring guidance of Mr. F. G. D'Aeth, who had for some years been Lecturer in the School of Social Studies in the University of Liverpool. To him, more than to any other organizer, is due the credit which the Liverpool Council of Voluntary Aid has justly earned among the various organizations for co-ordinating the work of social service in the urban areas.

### NATIONAL COUNCIL OF SOCIAL SERVICE.

The National Council of Social Service was formed in March, 1919, with headquarters at Stapley House, 33 Bloomsbury Square, W.C.1. This London residence of the late Sir Richard Stapley, has long been a meeting place for many concerned in social service. It has been acquired by the Educational Trust to which Sir Richard left his fortune, and it will in future be the home, not only of the Trust, but also of the British Institute and National Council of Social Service, which are now working as one body, with the following objects—

(a) To promote the systematic organization of voluntary social work, both nationally and locally, with a view to securing the co-ordination of voluntary agencies and their co-operation with the official agencies engaged in the same sphere of work.

(b) To assist in the formation, for this purpose, of organizations

in each Local Government Area, representative of both voluntary and statutory administration.

(c) To collect, register, and disseminate information relating to all forms of social service in this and other countries, including legislation and the regulations of Government departments.

(d) To encourage international co-operation in social service.

The British Institute of Social Service was formed in 1905, since when it has—

(a) Built up a valuable library of books, periodicals, reports and pamphlets on subjects connected with social progress.

(b) Arranged conferences and undertaken inquiries into various specific questions.

(c) Established an Information Bureau through which 30,000 inquiries have been dealt with.

(d) Published *Progress*, a quarterly review of civic, social, and industrial developments.

The Council was formed from the appointed representatives of central voluntary agencies and local government associations (with members of the principal Government Departments concerned sitting in an advisory and consultative capacity), to promote systematic co-operation in the sphere of social service. The establishment of the National Council of Social Service was the result of a series of informal meetings held at the Local Government Board. Since that date it has—

(a) Promoted the formation of Local Councils of Social Service, of which some 40 are now at work in such centres as Bournemouth, Chester, Edinburgh, Halifax, Leeds, Liverpool, Manchester, Reading, and Scarborough.

(b) Arranged a National Conference on "Reconstruction and Social Service," in which over 400 representatives of Government Departments, Local Authorities, and Voluntary Agencies took part.

(c) Issued memoranda on social organization in urban and rural areas, a Handbook of Information on "Public Services," a Monthly Bulletin containing, amongst other regular features, notes on the development of co-operation in social service and on "New Legislation and Administrative Changes," "Bills before Parliament," "Government Reports," "New Books," etc.

(d) Undertaken inquiries into various subjects and published reports.

Associates are elected from among individuals interested in the work.

Stapley House thus becomes the centre of a vigorous movement to develop co-operation in social service through the whole country, the success of which will depend entirely on the number of those who will identify themselves with it. The facilities of the House, including the Library and Information Bureau, are available for the use of individual associates and affiliated bodies, who also receive copies of all publications issued.

### COST OF PUBLIC SOCIAL SERVICES.

In consequence of the efforts of Mr. Geoffrey Drage and of the Charity Organization Society, a Treasury White Paper was first issued on the 23rd July, 1920, in which particulars are given of the great increase in public expenditure upon Social Services. The Return has been issued annually in 1921 and 1922. The total outlay on social services in England and Wales met out of Parliamentary votes and grants and from local rates has risen as follows—

1891	.	.	.	.	.	£20,111,331
1901	.	.	.	.	.	£31,692,259
1911	.	.	.	.	.	£55,111,643
1919	.	.	.	.	.	£142,509,199
1920	.	.	.	.	.	£213,533,631

The expenditure for 1920 was more than ten times that of 1891, and nearly four times that of 1911. This great increase is accounted for, to some extent, by three items which did not figure in the returns for any of the other years mentioned, namely, War Pensions (£84,957,621), Health Insurance (£23,420,000), and Unemployment Insurance (£1,095,639), while the cost of Old Age Pensions (£13,696,260) has more than doubled since 1911. Apart from these, however, the contrast between the figures for 1891 and those for 1920 is great. The figures are as follows—

	1891.	1911.	1919.	1920.
Education Acts . . . . .	£10,079,000	£29,294,000	£43,674,000	£58,459,232
Reformatory and Industrial Schools .	376,270	205,088	350,369	490,635
Inebriates Acts . . . . .	44	21,909	36,933	26,692
Public Health Acts . . . . .	410,000	1,850,000	3,082,264	4,640,196
Housing Acts . . . . .	238,000	747,000	1,060,000	1,070,000
Relief of the Poor . . . . .	8,456,017	15,023,130	18,423,883	23,501,241
Unemployed Workmen Act . . . . .	—	183,585	29,285	41,145
Lunacy Acts . . . . .	552,000	1,487,000	1,760,000	1,940,000
Mental Deficiency . . . . .	—	—	108,000	195,000
<b>TOTALS . . . . .</b>	<b>£20,111,331</b>	<b>£48,811,712</b>	<b>£68,524,734</b>	<b>£90,364,141</b>

The numbers of persons in England and Wales directly benefiting from the expenditure are given as follows—

	1919.	1920.
Health Insurance . . . . .	13,000,000	13,500,000
Unemployment Insurance . . . . .	58,087	241,963
War Pensions . . . . .	1,572,212	2,829,000
Old Age Pensions . . . . .	672,000	719,000
Education Acts . . . . .	6,855,000	7,125,000
Poor Relief . . . . .	555,639	563,045
Lunacy Acts . . . . .	105,330	96,410

It will thus be realized that the majority of British homes are directly or indirectly in receipt of some form of State subvention.

## CHAPTER XXIII

### THE CHILD

#### MATERNITY AND CHILD WELFARE.

THE loss of life caused by the Great War has turned the attention of all thinking people to the problem of rebuilding the population (which is the real wealth of a nation) upon far saner lines than those of the past.

It cannot be repeated too often that of every thousand babies born in this country 11 die in the first 24 hours, twice this number in the first week, and 36 in the first month. Two hundred and fifty of every thousand die before reaching their first birthday. The total infant mortality for the whole of the kingdom every year is 100,000. It is estimated that with proper attention and care at least 50,000 of these babies who now die every year could be saved.

It has been recognized for some years that work which is specially directed to reducing the mortality of infants and improving the health of expectant and nursing mothers and young children should form part of the public health work of local authorities, combining with it the social service of voluntary workers. Even before the passing of the Notification of Births Act, 1907, local authorities had begun to appoint health visitors to give advice as to infant care and management, and to inquire into the sanitary condition of homes in which births had occurred, and by March, 1914, about six hundred officers were employed by them. In that year what was then the Local Government Board were authorized to make a grant in aid of the expenditure of local authorities and voluntary agencies in respect of institutions or other provisions for maternity and child welfare. This grant, which has been continued and increased, has given a great impetus to the work.

In June, 1917, the Industrial Women's Organizations framed the following requirements which still hold good and cannot be allowed to fall out of sight—

1. That it be made compulsory on public health authorities :  
(a) to establish maternity committees ; (b) to adopt a scheme,

suitable to their locality, making adequate provision for the health of mothers (including treatment as well as advice) before, at, and after confinement, and for children up to school age.

2. That the powers of local health authorities should be extended so as to enable them to provide dinners and milk for mothers and young children and any other developments deemed desirable in the interests of maternity and sanctioned by the Local Government Board (now Ministry of Health).

3. That steps should be taken to enable local health authorities to supply pure milk at a cost within the reach of all classes.

4. That a Ministry of Health based on the public health work of the Local Government Board, with a Maternity Department, partly staffed by women, should be immediately created.

### **MATERNITY AND CHILD WELFARE ACT, 1918.**

A step in the right direction is to be found in the Maternity and Child Welfare Act of 1918 (cap. 29).

This Act widens the powers of local authorities in the matter of maternity and child welfare. It enables them to make such arrangements as may be sanctioned by the Ministry for attending to the health of expectant mothers and nursing mothers, and of children who have not attained the age of five years, and are not being educated in schools recognized by the Board of Education.

A local authority, exercising powers under the Act, must appoint a Maternity and Child Welfare Committee. This committee may be specially appointed for this purpose or may be an existing committee, and it must include at least two women. Subject to two-thirds of the members of the committee being members of the local authority, persons specially qualified by training or experience in subjects relating to health and maternity, who are not members of the local authority, may be appointed as members of the committee. A committee appointed under the section may also appoint sub-committees, consisting wholly or partly of members of the committee. The Minister of Health considers it is important that women of the working class should be represented on the committee.

With a view to encouraging the provision of further services, which experience has shown would be of value for conserving infant lives and health, the Minister of Health has obtained the

sanction of the Treasury to a considerable extension of the scope of the Ministry grant.

The additional services for which the grant is now available, subject to the Ministry approving the arrangements, are chiefly—

- (a) Hospital treatment for children up to five years of age.
- (b) Lying-in homes.
- (c) Home helps.
- (d) The provision of food for expectant and nursing mothers and for children under five years of age.
- (e) Crèches and day nurseries.
- (f) Convalescent homes.
- (g) Homes for the children of widowed and deserted mothers and for illegitimate children.
- (h) Experimental work for the health of expectant and nursing mothers and of infants and children under five years of age.

In certain other respects the scope of the grant has been enlarged.

As a general rule, county councils have adopted comprehensive schemes for all the districts in their counties, except those, which by reason of their population and number of births, can properly form separate units for these services. Some smaller districts are still carrying on separate schemes, but the most advantageous course usually lies in the amalgamation of these schemes with the county scheme, and the local authorities of many of the smaller districts have agreed to amalgamation and are co-operating with the county council in this work. Where this has occurred the county council have generally continued the work of the local sanitary authority with the staff previously employed by the smaller authority, and have availed themselves of the assistance of that authority and of their Medical Officer of Health in carrying it out.

The work to be done is of a composite character, and, while some parts of it may in certain cases be satisfactorily undertaken by the smaller authorities, other parts should be undertaken by the county council, and it is, therefore, desirable that the smaller district councils should in all cases consult the county council before considering the provision of separate services.

The county council and the district council have concurrent powers, in order that for all parts of the work the most efficient

arrangement may be made, but the Ministry look to the county council to consider the needs of the county as a whole, and how these needs may best be supplied.

The expenses of the Act are defrayed as expenses under the Notification of Births Acts, 1907 and 1915, but a county council may charge all expenses as general county expenses, subject to the condition that, if any district council within the county has provided for its district a service similar to that provided by the county council for other parts of the county, the county council may pay to the district council the amount raised by the county council in the district council's area. It is presumed that in due course this Act will expedite the provision of crèches, day nurseries, and convalescent homes. This Act gives powers akin to those now exercised in Scotland and Ireland, and is a step forward towards that great reform in connection with health.

### INFANT LIFE PROTECTION.

Part I of the Children Act, 1908, deals with Infant Life Protection, repealing the Infant Life Protection Act, 1897, and re-enacting it with additions.

The local authority for this purpose is the Board of Guardians, who appoint Infant Protection Visitors, and, in addition, or in lieu thereof, may authorize persons, male or female, to exercise the powers voluntarily. The visitors must satisfy themselves as to the proper nursing and maintenance of the infants, and advise and give directions as to their treatment.

The Act provides that persons receiving one or more infants under the age of seven years to nurse for reward are required to give notice to local authority within forty-eight hours.

The penalty for not giving notice is imprisonment not exceeding six months, or fine not exceeding £25, together with the forfeiture of lump sum (if any) paid, or such less sum as the Court may deem just.

No person having care of a child for reward has an insurable interest in the life of such child under the Assurance Companies Acts. This is an entirely new provision, which had never before received the attention of the legislature.

The Central Administration of this part of the Children Act, 1908, was handed over to the Ministry of Health by Order in Council as from 1st July, 1919.

## PREVENTION OF CRUELTY TO CHILDREN AND YOUNG PERSONS.

Part II of the Children Act, 1908, is concerned with the Prevention of Cruelty to Children and Young Persons.

The pioneer movement in this connection was made in Liverpool by prominent Nonconformists and Roman Catholics. It resulted, in 1881, in the formation of the first Society for the Prevention of Cruelty to Children, the Chairman of which was Mr. Frederick Agnew. This was the basis of the National Society founded in 1884 by the Rev. Benjamin Waugh. In the same year the Liverpool Corporation framed by-laws under Section 23, Municipal Corporations Act, 1882, under which no child below 13 could sell anything in the streets after 9 p.m. in the summer, or 7 p.m. in the winter, and no child under 9 could sell at all. In 1889 the first Prevention of Cruelty to Children Act was passed, followed by an amending Act in 1894. In the following year Liverpool established, during the Lord Mayoralty of Alderman W. H. Watts, the Police-aided Clothing Association, to provide clothing for poor and destitute children selected by the police. In 1897 the question was again under the consideration of a Special Committee, and in 1898 Liverpool obtained a private Act of Parliament which prohibited children, under 11 years of age, from trading in the streets. All boys under 14 and all girls under 16 were to be licensed and no licensed child could trade after 9 p.m. They were to be properly clothed, must not obstruct passengers nor enter a public-house. The last-mentioned provision was inserted by the House of Lords. In 1902 further recommendations were approved and embodied in a Bill which became the Employment of Children Act, 1903, a general measure which did not, however, contain many of the sections of the Liverpool Act, and was not, therefore, a success. In 1904 the Prevention of Cruelty to Children Act was passed, amending and consolidating the previous Acts. By the Children Act, 1908, the Act of 1904 is in certain particulars repealed with amendments and additions. Thus cruelty to children and young persons includes direct ill-treatment, assault, abandonment or exposure.

Again, it is made penal to cause the death by suffocation by over-laying of infants by persons over 16 years. This is an entirely new provision.

Other offences in relation to children and young persons include causing them to beg, or under pretext of singing, playing,

or performing, to offer anything for sale, or otherwise ask or receive alms.

If a child under seven loses its life by being left in a room containing an open fire-grate, not sufficiently protected, the person who has charge of it is liable to a fine not exceeding £10. Allowing a girl under the age of 16 years to be in a brothel, or causing, encouraging or favouring the seduction or prostitution or carnal knowledge of such a girl are all offences under the Act.

Power is conferred on a Court of Summary Jurisdiction, and constables, to bind over any person having the custody of a young girl, to take offenders into custody, and to detain the child or young person in a place of safety. The Court may also order the detention of habitual drunkards, and may, by order, dispose of any child or young person. The Secretary of State may cause to be visited and inspected, by persons appointed by him, any institution for the reception of poor children or young persons, supported by voluntary contributions.

#### EDUCATIONAL DUTIES OF PARENTS AND EMPLOYERS.

It is now the duty of a parent to cause his child to attend school between the ages of 5 and 14, and no exemption from attendance is to be allowed under the Education Act, 1921.

In cases where by-laws have been made providing for the exemption of children from school attendance between these ages, such by-laws will under the Education Act, 1921, cease to have effect, and in all by-laws the age of 14 will become the minimum age for compulsory attendance at ordinary schools. A child is not to be deemed to be 14 years of age until the end of the school term in which he reaches that age.

Legal proceedings may be taken against parents for not causing a child to attend school. Where the parent pleads that the child is in fact attending some school or institution, the defence will fail unless such school or institution is open to inspection by the local education authority, or the Board of Education, and unless satisfactory registers of attendance are kept at the school or institution.

Power is given by the Education Act, 1921, to local authorities to extend the school age to 15 years by by-laws (Section 46 (2) ). Local authorities should consider this in view of the unemployment among young people. Local education authorities have also power to make a by-law that parents shall not be required

to cause their children to attend school before the age of six years (Section 46 (4)).

Power is given to the local education authorities to require pupils of non-provided schools to attend classes in other institutions for the purpose of practical or special instruction or demonstration (Section 29 (8)), and to prohibit or modify the conditions of employment of a child when there is reason to believe that those conditions are prejudicial to his health or physical development (Section 94 (1)).

The duty of employers is to make arrangement which will enable young persons to attend the day continuation schools.

### EMPLOYMENT OF CHILDREN.

The Education Act, 1921, empowers the local education authority to act as Local Authority under the Employment of Children Act, 1903, which was repealed by the 1921 Act. No child under the age of 12 shall be employed at all except so far as the employment of children by their parents may be permitted by local by-laws. A child between the ages of 12 and 14 shall not be employed on any Sunday for more than two hours, nor on any school day before the close of school hours on that day, nor on any other day before 6 a.m. or after 8 p.m. (Section 92 (1)). In any case, employment before 9 a.m. must be limited to one hour, and a child so employed must not be employed for more than one hour. A child under the age of 14 cannot be employed in street trading (Section 92 (2)). Section 100 limits the hours of children taking part in entertainments, etc. Section 90 prohibits the employment of children in factories, workshops, mines, and quarries.

As from the 1st January, 1921, it became illegal to employ any child under 14 in any industrial undertaking (as defined in the Employment of Women, Young Persons and Children Act, 1920), unless the child was already so employed at that date.

### CONTINUATION SCHOOLS.

It is the duty of the Local Education Authority to provide Part-time Continuation Schools for young persons up to the age of 18 free of fees. Provided that—

(a) The obligation shall not, within a period of seven years from the appointed day, apply to young persons between the ages of 16 and 18, nor after that period to any young persons

who has attained the age of 16 before the expiration of that period ; and

(b) During the like period, if the local education authority so resolve, the number of hours in each year shall be two hundred and eighty instead of three hundred and twenty.

This section was the heart of the Education Act, 1918, and is now included in Part VI of the Education Act, 1921. The appointed day was to have been in the autumn of 1921, but the wave of national economy has restricted the work. Twenty day continuation schools were opened in London in January, 1921, and a smaller number in Birmingham.

Exemption from obligation to attend day continuation schools is provided for any young person—

(a) Who is above the age of 14 on the appointed day ; or

(b) Who has satisfactorily completed a course of training for, and is engaged in the sea service in accordance with any national scheme ; or

(c) Who is above the age of 16 and either (i) has passed the matriculation examination of a university of the United Kingdom or an examination equivalent thereto ; or (ii) is shown to the satisfaction of the local education authority to have been up to the age of 16 under suitable and efficient full-time instruction.

The obligation to attend continuation schools shall not apply to any young person who is shown to the satisfaction of the local education authority to be under suitable and efficient—

(a) Full-time instruction in some other manner.

(b) Part-time instruction in some other manner for a number of hours equal to those required for attendance at a continuation school.

Where a British University or the Central Welsh Board reports to the Board of Education that a secondary school makes satisfactory provision for the education of the scholars, such a school shall for the purposes of this section be treated as recognized by the Board of Education as efficient.

Attendance at a day continuation school shall not be required on a Sunday or during a holiday or half-holiday, nor between the hours of seven in the evening and eight in the morning, except in the case of young persons employed at night or otherwise employed at abnormal times.

## CHAPTER XXIV

### THE ADOLESCENT

#### WELFARE WORK.

WELFARE work first found expression about thirty years ago in schemes for the social happiness and physical well-being of employees. It was initiated by employers who were known for their general philanthropic work and for their sincere interest in the well-being of their employees. The movement was associated with the family traditions of individual employers, but in a sense it dates back to the old hand-loom days, when weaving was done in the garrets of operatives' homes in Lancashire and Yorkshire, when much first aid, rest-room, and canteen work—of a domestic kind—was undertaken in a co-operative manner by the workpeople themselves. Probably it is only within the last fifteen years that modern Welfare work has come to be recognized at its true value.

Welfare work has not been so generally adopted in staple industries and in larger centres of population as it has been in specialized industries and in isolated districts of small population, or where an industry has been initiated in a non-populated area. The earliest definite schemes were associated with firms engaged in the manufacture of food, cocoa, drugs, tobacco, soap, and in tin-box making, dyeing of household materials, etc.

Under the conditions of labour resulting from the Industrial Revolution there arose from the ranks of the workers a new class of employers, who made English products famous throughout the world. The employers amassed large fortunes and secured their political liberty with the Reform Act of 1832. At the same time, the disruption of the old order caused great hardship among the workers, in both town and country. The doctrine of "Laissez Faire" was so misinterpreted that even men of the type of Wilberforce were reluctant to introduce legislation to improve the conditions of the workers, if by doing so it would limit the employers' powers.

The middle and latter part of the nineteenth century was a period of steady legislative improvement, but the doctrine of

"Laissez Faire" was studiously upheld. Some employers recognized the beneficial results to industry of improved conditions, shorter hours, and better wages. Other employers were compelled to concede these benefits by the influence of public opinion or a fear of legal proceedings. Few employers acknowledged any real independence for the workers, and all benefits, whether spontaneous or compulsory, were conferred under political pressure.

**Growth of Trade Unions.** But a new force was rising, slowly and painfully. In spite of persecution and opposition, the trade unions were growing, and with their progress the clouds were lifted on the workers' horizon. Through a period of sufferance and toleration they advanced step by step until, by the Trade Union Act, 1871, they secured legal recognition. The unions then began to realize their power and true position in industry, and to-day the worker demands a proper share, not only in the rewards, but also in the control of industry. To this end education is necessary to prevent trade unions becoming isolated units and to prevent them from turning from benevolent objects to machines for the exercise of tyranny whether of the worker or of the general body of the community—thus interfering with the liberty of the subject.

It is thus of paramount importance to the future of industry that more attention than hitherto shall be given to securing that all work is carried on in such a way as to maintain the highest efficiency of all the factors of production. In the past great care has been expended on obtaining the best possible machinery and raw material, but only too often the type of employee, and the conditions under which they have been expected to work, have been so little considered that the actual rate and quality of output has fallen far below the estimate.

**Selection of Employees.** Employers have often failed to recognize that the selection of employees, which is so often left to untrained subordinates, is skilled work calling for special knowledge and insight. Any employee, however selected, will be more efficient when working under favourable and acceptable conditions than otherwise. The discovery of what these conditions are is a scientific study and as much a part of the managerial function as is the initial provisions of machinery, labour, and material.

**The Growth of Welfare Work.** Those employers who prior

to the war devoted special attention to these points had for the most part developed, under one name or another, a systematized plan for dealing with them. The tendency was to appoint special officers to undertake these functions, and while there was much variation in detail in the methods of the individual firms, a common basis for agreement on general principles was slowly evolved. The value of the work done is indicated by that fact that, so far as is known, no firm which seriously experimented in this direction ever abandoned the project. The isolated firms felt the need for mutual comparison of methods and results, and several informal conferences—the first held in London in October, 1906—resulted in the formation in May, 1913, of a Welfare Workers' Association (now the Welfare Workers' Institute), which was joined by practically all those engaged in pioneer work in this direction.

The outbreak of the War interrupted the normal, slow development of the movement. The increased extent to which women were employed in industry during the War, especially on engineering work, established welfare work as an indispensable factor of health, provision of labour, efficiency and production. It has usually been adopted first for women workers, and has then become accepted as a serviceable scheme for men. In this way—under the special condition of munition manufacture—welfare work has been extensively introduced into the engineering industry, and has remained after the employment of women has ceased. The emergency of the moment and the need of re-organization of industry to meet war conditions led to the establishment of the Health and Welfare Section of the Ministry of Munitions. It is the inherent weakness of every Government that it can enforce the letter but not the spirit of the law, and the inevitable result was the introduction of the letter of what is generally known as welfare work into factories where the spirit was entirely lacking, i.e. where the management had no appreciation of, or desire for it and merely regarded it as an unavoidable and often temporary concomitant of the introduction of female labour. This naturally resulted in the failure of many welfare schemes to make good in any real sense.

**Appointment of Officers.** Further, the enormous demand suddenly created for officers to undertake the organization of welfare work could not be met, and untrained, inexperienced, and often unsuitable people were frequently appointed. Even where the

person selected was suitable, the abnormal war conditions made almost impossible the application of those principles which had been built up from the experience of many workers in happier times. The real essence of welfare work, which is the practical application of science (psychological as well as physical) to a definite industrial problem, was almost forgotten in the specific demand for the immediate improvement of sanitary and material surroundings. This demand was perfectly justifiable, but the concentration on this urgent problem has tended to emphasize one side of welfare work at the expense of the other, which is more fundamental. In other words, welfare work often implies merely the provision of canteens, ambulance room, etc., rather than the appreciation by the employer of the fact that a works manager requires more than mere technical and organizing ability; that he has a psychological problem to face, which requires special training and insight, for the mere adoption of so-called scientific efficiency methods does not automatically bring about the desired improvement in output. The hearty and intelligent co-operation of the workpeople must first be secured.

**The Object of Welfare Work.** Welfare work in business and industrial enterprises is the work of that part of the management concerned with the organization of working conditions on such lines as will be acceptable to and provide for each individual worker—

1. Physical comfort and well-being.
2. The full opportunity for the use of his abilities by the exercise of care and discrimination in the allocation of his work and duties.
3. The means for development of all his faculties.

The aim of welfare work is the cultivation amongst the workers of a higher standard of intelligence and useful knowledge, a broader and more enlightened outlook, better physical condition, greater interest in their employment, a more contented feeling about their work—and, if possible, a happier and brighter spirit leading to more cordial relations with their employers.

It seeks to promote a better understanding between employer and employed, based on just dealing and mutual co-operation.

The function of the welfare worker is to advise on all matters connected with the employment of labour, the working conditions, health, and general well-being of the workers; and to act as the executive officer in carrying into effect decisions made thereon.

In a pamphlet issued by the Home Office, welfare work is defined as the provision by the management of the best conditions of employment for the worker. It is a movement in recognition of the importance of the human side of industry. "The workers of to-day are better educated than formerly; this in addition to making them more capable workers has made them more sensitive human beings; their personality is more and they resent administration which does not take this into account." Thus, to be a success, any scheme of welfare work depends upon the spirit in which it is initiated. It must be initiated unselfishly, and purely in the interests of the workers, and must be carried out in co-operation with the workers; then the latter will respond, and the scheme will develop into a sound business proposition. It is perhaps better indicated by its activities than defined in principle; and we may, therefore, best consider its application by tracing the advantages and results which have accrued through the adoption of the system.

**Advantages and Results of Welfare Work.** The advantages of welfare work are not easily recorded by statistics, for they are more of mind and spirit than of matter, and their value is immeasurable. On personal inquiry from employers who have welfare schemes at work, one has never come across indifference; there is consistent enthusiasm. Where records have been kept, before and after the adoption of welfare schemes, it is shown that—

- (a) The workers are happier and healthier.
- (b) There is definitely improved time-keeping.
- (c) There is a considerably less migration of labour, for employees become attached to the firm.
- (d) Where the production is largely dependent upon the human factor, it has been increased in quantity and quality.
- (e) There is a considerable reduction of works disputes.

**Duties of Welfare Worker.** The duties of the position should bring the welfare worker into constant and sympathetic contact with the management, foremen, clerical, and manual staff on positive questions, and afford opportunities for the discussion and adjustment of those abstract problems, the proper settlement of which alter so materially the prospect of a business. Among these duties are the following—

1. The keeping of records of the staff with a history of each individual's career from the time of engagement onwards. This

duty, if properly carried out, leads a long way and gives the welfare superintendent ample opportunities for exercising some of the most important functions attaching to the post. With a full knowledge of every employee's career, the welfare worker can advise as to the placing of the various members of the staff. Often promising boys and girls apparently fail, but on joining another firm meet with considerable success. The reason for the first failure is often unsympathetic environment, and the removal of the individual from one department to another might have saved the firm from losing a valuable asset. To prevent this, no dismissal should be confirmed by the management without consultation with the welfare worker.

2. The keeping of records of likely applicants for employment. With this, the much debated function of engaging staff is intimately connected. In some cases, welfare workers actually engage the staff, but by doing so the personality of the managers and foremen is neglected. The object of the welfare worker is not so much to secure particular individuals, but to maintain high tone throughout the staff. This purpose is effected if, on application by a manager or foreman, the welfare superintendent can produce three or four likely applicants for a vacant situation, leaving the choice of the individual to the departmental head. In connection with the keeping of records it should be remembered that there is a danger in over-doing this. Too much detailed knowledge of the individual may produce a feeling of a loss of liberty and the weakening of a sense of responsibility on his part.

3. The welfare superintendent should be responsible for scrutinizing the time-sheets and inquiring into all cases of unpunctuality. With time-keeping is intimately connected the health conditions of the staff, for often unpunctuality is caused by indifferent health. Every firm must observe all legal regulations in connection with the health and protection of the worker, and for the observance of them the welfare worker must be responsible. But mere compliance with the law is not enough to promote efficiency, and to advise the management about the latest improvements and research as regards both health conditions and hours of work, lies within the province of the welfare worker.

Duties in connection with canteens, the social programme, and educational schemes, though generally assuming a concrete and

definite form, cannot be apportioned by the management. All must be initiated at the bidding of the worker, and though the management should render financial assistance under the advice of the welfare worker, the control should rest with the users who can turn to the welfare worker for advice and active help with the detail work.

### MINERS' WELFARE.

The Mining Industry Act of 1920 provided that a levy of one penny per ton of output should be made on all pit-owners to establish a welfare fund. The Act provided that the money accumulated should be used for "such purposes connected with the social well-being, recreation, and conditions of living of workers in or about coal mines, and with mining education and research, as the Board of Trade after consultation with any Government Department may approve." To administer the fund a committee of five persons has been appointed, one of whom represents the Miners' Federation and another the Mining Association. Assisting the committee are three assessors appointed respectively by the Ministry of Health, the Board of Education, and the Scottish Office. The fund has only been set up for a period of five years, and the committee will as a rule make grants for capital expenditure. They are debarred from making grants towards building or repairing houses, which relieves them from dealing with a problem which is crying out for solution, and for the solution of which Mr. Justice Sankey, in his preliminary report, stated it might be advisable to set aside the same amount of money which has now been allowed for general welfare purposes.

The Welfare Committee, in a memorandum, state that, to carry out their programme, they must of necessity depend on the formation of and recommendations from district committees. As the committee have already had allocated to their purposes money collected, there ought to be great advances in the organization of local schemes if the Act is not to become a dead letter.

Conditions in the mining industry are vastly different from the ordinary conditions of factory life, and from the wording of the Act it is obvious that the present suggested welfare schemes will have nothing to do with the actual conditions under which the men are employed below the surface. The Welfare Committee

sub-divide their activities under three headings: education, recreation, public health, and social well-being. It will be seen that a wide scope is left for initiative in different districts. To obviate grossly unfair distribution of funds the committee are bound by statute to allocate to any district 80 per cent of the funds raised there.

### WELFARE SUPERVISION OF THE ADOLESCENTS.

What has already been said about the welfare worker for adults is equally true of the welfare supervisors of the adolescents, who have become an important factor in the industrial world. The supervisor is an official appointed by the management of the works, and his or her duty must be determined by the management.

**The Supervisor's Position.** The position of the supervisor may be justified on many grounds. In the first place, he represents to the worker that relationship which should in some form or other exist between employer and employed, but which modern industrial conditions have made it difficult, if not impossible, to maintain.

However anxious an employer may be to know his work-people and to familiarize himself with their individual interests, conditions of labour often make it impossible. Under the stress of industrial organization the old direct contact between master and man has largely disappeared, and, even if such close relationships could still exist, it is open to question whether the time and energy of the management could profitably be diverted towards their maintenance from the important work of direction and control. Here, then, is the opening for the supervisor. He is appointed by the firm, not as an inspector for the management nor as a mere friend for the worker, but as an important factor in the business who will represent a humanizing influence in the industrial economy.

In the second place, the supervisor will unconsciously establish in the worker's mind a sense of continued supervision. The worker leaves school at the age of 14 and faces, without adequate preparation, the greatest crisis of his life. At an age when he is undergoing violent changes, both physical and mental, he is suddenly removed from the shelter of his school and from the influence of school discipline into the turmoil and complicated routine of a factory. What individuality he developed at school

is lost, since he now becomes a mere unit in a vast crowd ; he is filled with a sense of bewilderment and unrest. The feeling of freedom does not come to him until he begins to handle his money, for it is only then that he realizes that he is a wage-earner, with a definite value in the family circle. He is now able to earn money for himself and is no longer dependent upon others for chance gifts. Up to now he has been used to supervision and is ready to accept it still, and the supervisor should regard it as one of his most important duties to see that such supervision is provided on the worker's entry into industry, and maintained, so that the best may be made of the worker's services in the present and of his possibilities as a worker and a potential citizen in the future.

**Recreation.** While the more important duties of the supervisor will lie within the factory, his work will not be complete unless he studies the use which the workers make of their off time, and he will probably find it necessary to assist them to organize their recreation. In this connection the work will be far more valuable even than in the welfare work on behalf of the adult. He should therefore acquaint himself with the working and the scope of the various agencies—clubs, boys' brigades, scout troops, etc., existing in the district, and, where it is possible, he should endeavour to attach the boys to one or other of these. If local agencies, however, are unable to assist or are insufficient to deal with the boys under his charge, it may be possible for the supervisor to suggest to the management the provision of a club, or gymnasium, in connection with the works, where the boys could enjoy sane and healthy relaxation at the end of the day or during their spare time in the dinner-hour.

**Education, Etc.** The supervisor should keep in touch with such agencies as After-Care Committees, and also with local education authorities. The importance of education, both general and technical, cannot be over-estimated as a factor of success in international competition, and the supervisor would do well to keep in mind the educational needs of his workers and the possibilities of meeting them. The fullest possible use should be made of existing continuation or technical classes. Arrangements may be made for the payment of books and fees by instalments. Advice should be given as to the most suitable class and all arrangements made. Copies of school reports received should be sent to the head of the department and the board of

directors. Adolescents are frequently engaged on mechanical processes calling for little manual skill and leading to no mental development. It is important to see that the worker does not merely mark time mentally, or, what is worse, allow such capabilities as he has developed to become atrophied. Some firms, by special concessions as to hours, have encouraged their workers to continue their general education or enabled them to obtain some skilled technical training. The actual arrangements for the provision of instruction should not, of course, rest with the supervisor, who should advise attendance, not enforce it, for the whole problem is one of considerable difficulty until attendance becomes compulsory throughout the country. The supervisor might, with advantage, arrange courses of lectures in first aid, hygiene, simple political economy, citizenship, etc. Prizes are often offered by firms for attendance and successes obtained in commercial schools and technical institutes.

### JUVENILE ORGANIZATIONS COMMITTEE.

The welfare supervisor, the probation officer, the juvenile employment superintendent, the after-care worker, the Sunday School teacher, and the club or brigade worker, all need to be aware of each other's activities and to co-operate. In particular, those various workers (should they not be acting in that capacity) should be in touch with the friendly visitor, who may be personally acquainted with the family, and, what is perhaps even more important, the friendly visitor should be aware of all these other forces, so that he or she may put in the right word at the right time. This requirement has resulted in the creation of the Juvenile Organizations Committee, with its local Committees.

**Appointment of Committee.** The Home Secretary, acting upon the suggestion made at a conference held on 23rd October, 1916, at the Home Office, of some forty representatives of boys' and girls' organizations, to discuss Juvenile Crime and possible remedies, appointed on 2nd December, 1916, a Standing Committee called the Juvenile Organizations Committee. This committee consisted of some sixteen persons connected with such organizations as brigades, scouts, girl guides, etc., under the chairmanship of Mr. C. E. B. Russell, of the Home Office. The purpose of the committee is "to consider (1) what steps can be taken to attract boys and girls to become members of brigades and clubs; (2) the

possibility of transferring a boy or girl from one organization to another, when this seems desirable ; (3) the steps to be taken to prevent overlapping of work ; (4) the strengthening of weaker units ; (5) the difficulty of obtaining officers ; (6) difficulties in securing the use of school premises as club rooms or play centres ; and other matters relating to the effectiveness of clubs and brigades."

The Board of Education, after issuing early in December, 1916, a short circular (No. 975) encouraging the local education authorities to afford facilities in their schools for the evening meetings of recognized boys' and girls' organizations, on the 19th January, 1917, took a step forward and issued their Regulations for Evening Play Centres (Cd. 8453) with an accompanying circular, No. 980. Under these regulations the Board of Education will make grants in aid of evening play centres, " which provide after school hours and on Saturdays for the recreation and physical welfare, under adequate supervision, of children attending Public Elementary Schools." The accompanying circular outlined a far-reaching and comprehensive scheme which, combined with the still more recent Medical Grant Regulations (Cd. 8473), Part III (which makes grants for the salaries of competent persons to organize and supervise the physical training of children in Public Elementary Schools) may bring about almost an entire reconstruction of social work among children of school age. This, again, is a matter of considerable difficulty, for care must be taken to avoid the danger of the ex-army drill sergeant methods.

In 1920 the administration of the Juvenile Organizations Committee was transferred from the Home Office to the Board of Education, in order to meet the possible developments under the Education Act, 1921. The combined result of the action of the Board of Education and the Home Office has been the creation of local Juvenile Organizations Committees in various towns throughout the country.

Until the establishment of the Juvenile Organizations Committees there was practically no co-operation between the various organizations and forces at work. Bodies worked independently of each other. Little if any attempt appears to have been made by one institution even to recognize the work of another, much less to co-operate in its work or to strengthen it by mutual support. At times organizations appeared to work against each other. There seems little doubt that this lack of relation

hindered the efficiency of the present activities and checked development.

In some instances (e.g. in the Girl Guides and Boy Scouts) members upon changing their residence were transferred from one branch of an organization to another. This practice did not obtain in all organizations, while the transfer from one organization to another was practically unknown. The situation became worse, because, owing to there being several different organizations, there was less likelihood of there being a branch of any one particular organization in any one particular place.

There was no body in a town responsible for seeing that organizations existed in each district. The initiative rested with individuals in the district. Someone in a locality felt something should be done for an organization, heard from a friend or by some other means, and set it on foot, often regardless of its particular fitness for the locality. Some districts might be well supplied, others might be very short. In some places the scouts might be strong, in others a boys' brigade might be of importance.

When, after a temporary existence, an effort fell through, there was no central body to whom reports could be sent and who would take steps either to revive it or set up another organization in its place. Either it quite died out, or, after lying dormant for a year or two, another attempt was made to revive it locally. In this connection it may be noted that the local headquarters of brigades, scouts, etc., record the changes, but up to the present have been unable to do much more.

The Juvenile Organizations Committee was in no sense a body introducing forms of recreational activity for children and young persons in competition with existing agencies, but the function of the Committee was to co-ordinate the activities of existing organizations for boys and girls and to extend their work. Co-operation was maintained with the Government Departments, the committees of the local authority, and other public or voluntary bodies caring for the social interests of young people. The work of local Juvenile Organization Committees was becoming increasingly important, particularly in view of the provisions of the Education Act, 1921, as Government Departments and local authorities were looking more and more to such organizations as the medium through which they could approach the leaders of the various organizations for boys and girls.

**AFTER-CARE.**

After-care work is undertaken either in connection with the work of the local education authorities under the Choice of Employment Act, 1910, or under the juvenile employment exchanges, established by the Labour Exchanges Act, 1909.

The system of after-care visiting is intended to supplement the work of the juvenile employment exchanges by providing continuous help and supervision for children during the earlier years of their industrial career. The work is undertaken by voluntary workers. Each after-care helper is asked to undertake to see a certain number of children and to keep in touch with them until they are 18 years of age. It is desirable to encourage the visitor to accept one or more cases and to do it effectually. The helper should point out the advantages of skilled trades and the disadvantages of casual or blind-alley employment. He or she should discourage unnecessary changes of occupation. The child's responsibility to the employer as well as his own interests may be emphasized in this connection. It is important also to encourage continued education, membership of some recreational institute or club, and to keep the child in touch with the Juvenile Employment Committee. The essential feature of the relationship of the helper with the parent or child is that it should be entirely personal and unofficial.

**Working Methods.** The methods by which the after-care helper carries on the work of after-care naturally varies with the particular circumstances of each case. The best introduction is probably a friendly visit to the home and a chat with the parent or guardian. It is of special importance that parents should be made to feel that any such visit is the outcome of a desire to be helpful and friendly, and that it is not in any way due to mere curiosity, or an official duty.

The helper is asked to keep in friendly touch with the child; and, if possible, to obtain from the child a promise that if difficulties arise or the work is uncongenial, the child will come and consult him before he gives notice to leave.

The helper is asked to make every effort to encourage the child to attend continuation and technical classes. It is especially important that the visitor should make a point of seeing the child just before the classes begin and should urge the importance of joining them. Another visit is desirable after the Christmas

vacation when the interest of the child is apt to require stimulating.

The helper should report as to the child's progress at least twice a year. The report should include information as to the following points—

- (a) General welfare, including home circumstances.
- (b) Conditions of employment, wages, hours, etc., with note of any change.
- (c) Continued education—the school attended or any special reasons for non-attendance.
- (d) Any special needs which it may be within the power of the committee directly or indirectly to meet.
- (e) Clubs (thrift, social or other) to which the boy or girl belongs.

In cases where the child is in an employment of a blind-alley type the helper should inform the Secretary of this fact, so that every effort may be made to secure work of a more satisfactory character. If the child is out of work, information should be sent to the Secretary and the child should be urged to re-register at the Juvenile Employment Exchange. If the child has left the district a report should be made to this effect, stating, if possible, the address to which he or she has moved. If the helper is obliged for any reason to give up a case he should at once notify the fact to the Juvenile Employment Committee.

While it is of importance that the helper should keep himself informed as to the industrial progress of the child, it is essential that all negotiations with employers should be carried on through the Juvenile Employment Exchange.

### CENTRAL AFTER-CARE COMMITTEES.

The work of after-care varies in its detailed administration, but the following may be taken as typical of a large industrial and commercial centre.

All visitors form a Central After-care Committee, working directly with the Juvenile Employment Exchange. The secretarial work is carried on by Exchange officers, with possible help from "District Registrars." Economy of time and labour is thus effected and closer touch obtained between visitors and exchange.

Meetings of this Central Committee are held in the evening,

at the Juvenile Employment Exchange, at intervals of one or two months.

The meetings are of a social character, with an address on a topic connected with after-care work or with industrial and educational questions. Visitors' reports are brought to the meeting, but are read only in cases of special difficulty. Reports on urgent cases are sent to the Juvenile Employment Exchange, without waiting for the general meeting of the visitors.

The Exchange refer to the visitors only those cases in which after-care is urgently required. For purposes of allocation to visitors, these are divided according to wards, and grouped into three main districts, North, Central and South, each under a District Registrar.

Representatives of Ward Juvenile Organizations Committees, Ward Personal Service Committees, Charity Organization Societies, or similar organizations, are invited to join the Central After-care Committee, as a link between these various organizations. The Central Care Committee is represented upon the Juvenile Employment Committee and the proceedings of the former are reported to the latter for approval.

## CHAPTER XXV

### THE DELINQUENT

#### EDUCATIONAL DELINQUENTS.

THE special types of schools which exist for the purpose of dealing with educational delinquents are known as Industrial Schools.

Under Section 45 (a) of the Education Act, 1921, a child may be sent to a Certified Day Industrial School on his failure to comply with a school attendance order, but if there is no such school available, then he may be sent to a Certified Industrial School.

**Definitions of Schools.** Part IV of the Children Act, 1908, defines an Industrial School as a school for the industrial training of children in which children are lodged, clothed, and fed as well as taught. A Certified School means a reformatory or industrial school which is certified in accordance with the provisions of this part of this Act. Children are committed by the Justices of the Peace who, in conjunction with the local authority, decide to which school the child shall be sent. A Day Industrial School is a school in which industrial training, elementary education, and one or more meals a day, but not lodging, are provided. A Certified Day Industrial School is deemed to be a certified efficient school within the meaning of the Education Act, 1921. Section 170 (1) of that Act defines a Certified Efficient School as a public elementary school, a school certified by the Board of Education as suitable for providing elementary education for blind, deaf, defective, or epileptic children, and any workhouse school certified to be efficient by the Ministry of Health, and any public or state-aided elementary school in Scotland, and any national school in Ireland. It includes also any elementary school which is not conducted for private profit, and is open at all reasonable times to the inspection of His Majesty's inspectors, and requires the like attendance from its scholars as is required in a public elementary school. Such a school must keep such registers of those attendances as may be for the time being required by the Board of Education, and is certified by the Board of Education to be an efficient school.

Part IV of the Children Act, 1908, deals with Reformatory and Industrial Schools, and is the backbone of the whole Act. It repealed the existing Reformatory and Industrial Schools

Acts and re-enacted them with amendments and additions. It was a great step in advance, if only to amalgamate them into one Act. Ragged Schools were the first type of these institutions. In 1756 the Marine Society founded an institution for the protection of the children of convicts. In 1776 the Philanthropic Society were given charge of boys sentenced to transportation or long terms of imprisonment who had been granted a conditional pardon. In 1803 John Pounds founded a Ragged School at Portsmouth, followed by Dr. Guthrie, in Glasgow, the Rev. (afterwards Canon) Major Lester, and Father (afterwards Monsignor) Nugent, in Liverpool. These efforts resulted in the establishment of certified schools throughout the United Kingdom.

**Reformatory Schools.** A Reformatory School means a school, for seniors, to which are sent for industrial training youthful offenders, being between the age of 12 and 16, convicted of an offence, punishable, in the case of an adult, with penal servitude or imprisonment, and who would have served a term in prison. In these schools the actual delinquents are lodged, clothed, fed, and taught. The period of detention is from three to five years, but not after the delinquent has attained the age of 19. If under 19 on discharge they remain under the supervision of the school managers until 19 years of age. In 1854 the Young Offenders Act, providing for vagrants under 15, was passed, while the Home Secretary was empowered to certify Reformatory Schools. In the same year the Redhill Farm Colony was founded by the Philanthropic Society. In 1856 the Reformatory and Industrial Schools Act was passed, which provided that young persons should not be sent to a school to which the parents objected if another was available. This was followed in 1866 by the Reformatory Schools Act, which repealed, consolidated, and amended the previous Acts. In 1893, Lord Leigh's Reformatory Schools Act raised the age from 10 to 12 and the term of admission from two to three years as a minimum. This Act was followed by the Reformatory Schools Act, 1899, which rendered it illegal to sentence a youthful offender to penal servitude. The Youthful Offenders Act, 1901, made certain regulations, tending to reduce the number of very young offenders sent to reformatories rather than to industrial schools, and gave powers to a Court to make an order on the parent or guardian for contribution to the child's support, which is enforced summarily "as an order of affiliation."

**Industrial Schools.** An Industrial School means a school for juniors, in which industrial training is provided and children are lodged, clothed, fed, and taught up to the age of 14. These schools are intended for children who may not actually have committed an offence, but whose circumstances are such that if left in their surroundings they are likely to join the delinquent population. The legislation relating to industrial schools commenced with the Young Offenders Act, 1854, which enabled a Sheriff or Magistrate to commit vagrant children, although they were not charged with an offence. The Industrial Schools Act, for England and Wales, 1857, provided that children above 7 and under 14, convicted of vagrancy, might be committed to a certified school. The inspectors were appointed by the Home Office. In 1860 and 1861 was passed the Consolidating Act, which enlarged the scope of the previous Acts. In 1866 the Industrial Schools Act was passed, which embodied most of the previous provisions, and by new regulations provided that a child under 14, being a destitute orphan, or with a surviving parent undergoing penal servitude or imprisonment, could also be sent to these schools. The age limit was raised from 15 to 16 years. A contribution order may be made on the parent or guardian as above, also enforceable "as an order of affiliation."

These Acts provide for children beyond the control of their parents, for refractory children in a workhouse, and for the enforcement of school attendance orders under the Education Act, 1821. The work of Reformatory and Industrial Schools overlaps in that an actual delinquent under 12 years, not previously convicted, may be sent to an industrial school. The period of detention must not be beyond the age of 16, while they remain under the supervision of managers until the age of 18. Children liable to be sent under the old Acts were those found wandering or not under proper guardianship. The Children Act, 1908, provides that any person may bring before a Petty Sessional Court any child apparently under the age of 14 who is found begging or receiving alms ; is found wandering ; is found destitute, not being an orphan ; is under care of a parent or guardian who is criminal and drunken ; is the daughter of a father convicted of an offence in respect of any of his children under the Criminal Law Amendment Act, 1885 ; frequents the company of a reputed thief or common or reputed prostitute ; is lodging

or residing in a house used by a prostitute for prostitution. The Police are now required to take proceedings in these cases.

**Day Industrial and Truant School.** A Day Industrial and Truant School means a school where the children do not reside, but where they receive one or more meals per day, their elementary education, and a certain amount of industrial training. The system was introduced by the Elementary Education Act, 1876. The majority of these schools are owned and managed by voluntary bodies. The responsibility of finding and bringing the children before the Court rests with the local education authority and the police.

The local authority is the local education authority for industrial schools and the council of a county or county borough the authority for reformatory schools.

The reformatory and industrial schools of Great Britain are administered by inspectors appointed by the Home Secretary. Both classes of schools are voluntary, being conducted by private associations or local authorities. The schools are maintained by Treasury grants in aid, contributions from local authority, payments by parents and guardians regulated by the Children Acts, 1908 to 1921. Other sources of income include profits from industrial work, and charitable subscriptions and donations.

## JUVENILE OFFENDERS.

The two principal changes made by Part V of the Children Act, 1908, was that juvenile offenders are distinguished from the adult, and that the parent or guardian is made responsible for the offences of the child.

A child may not be sentenced to imprisonment nor penal servitude for any offence, nor committed to prison in default of payment of a fine, damages, or costs. A young person may not be sentenced to penal servitude nor to imprisonment for any offence, nor may he be committed to prison in default of payment unless he is too unruly to be sent to a place of detention. Sentence of death may not be pronounced nor recorded against a child or young person, but he or she may be sentenced to be detained during His Majesty's pleasure in such place and under such conditions as the Secretary of State may direct.

**Juvenile Courts.** One of the most noteworthy features of this part of the Act is the provision of Juvenile Courts, whereby, in

cases of charges against or relating to children or young persons, the magistrate sits in a separate room or at a special time. Provision is also made for preventing persons under 16 from associating with adults charged with offences. To such Juvenile Courts, only the necessary parties, legal advisers, and Press representatives are allowed admission. A separate rota of magistrates is recommended by the Home Office. In certain States of America there are magistrates for the purpose, as at Denver, Colorado. The first Children's Court, with a Probation Officer in this country was established at Birmingham. The Juvenile Courts (Metropolis) Act, 1920, has secured an advance both in the treatment of children and in the co-operation of women in public affairs.

The methods of dealing with children or young persons according to the offence charged are summarized in Section 107 of the Children Act, 1908, and must be taken into consideration at the trial. The case may be dealt with—

- (a) By dismissing the charge ; or
- (b) By discharge on recognizance ;
- (c) By discharge and placing under supervision of probation officer ;
- (d) By whipping (in indictable cases only) ;
- (e) By order to pay fine, damages, or costs ;
- (f) By order on parent or guardian to pay fine, damages, or costs ;
- (g) By order on parent or guardian to give security of good behaviour of offender ;

In certain cases only—

- (h) By committal to care of relative or other fit person ;
- (i) By committal to industrial school ;
- (j) By committal to reformatory school ;
- (k) By committal to place of detention ;
- (l) By sentence of young person to imprisonment ;
- (m) By dealing with the case in any other legal manner.

The Court may make an order on the parent or guardian to contribute towards the cost of maintenance. The expression "fit person," referred to in (h) above, includes by Section 38 of the Children Act, 1908, any society or body corporate established for the reception or protection of children.

**Places of Detention.** Places of detention must be provided by every police authority, to which a child or young person who is

on remand or committed for trial may be committed, and to which a child or young person may be sentenced for punishment instead of to prison. Such places must be either specially established, or the police authorities may arrange with the occupiers of already existing premises or institutions for their use.

In the case of specified offences, Part VI of the Children Act, 1908, confers powers upon the Court to exclude everyone not directly concerned during the giving of evidence by a child or young person, should such a course be deemed advisable. It also prohibits children from being present in Court during the trial of other persons ; prohibits marine store dealers and traders of that class from the purchase of old metal from any person apparently under 16 years of age ; the taking of pawns from children under 14 years (in London and Liverpool under 16 years of age). If any person gives, or causes to be given, intoxicating liquors (except for medicinal purposes or urgent cause) to children under the age of 5 years, he is liable to a fine not exceeding £3. The Act imposes penalties on vagrants who prevent children over 5 years of age from receiving education. A licence holder cannot allow children in the bar of licensed premises, except during the hours of closing, under a penalty of £3 for the first and £5 for every subsequent offence. The Act also provides for the cleansing of verminous children under order of the local education authority.

### METHODS OF DEALING WITH JUVENILE DELINQUENTS.

There are many ways of dealing with the juvenile delinquent, although the really hopeful way is by putting them, when possible, under a Probation Officer. In most Courts there are no special Probation Officers and no system of dealing with children. The main thing, however, is to endeavour to link up the work of the Probation Officer with that of social administration.

The question of juvenile delinquents under 16 is one which demands that suitable arrangements should be made with the Probation Officer and the regular organization, so that the delinquent should have the opportunity of joining some social club. This can be done through the agency of the Juvenile Organizations Committee, who can notify the after-care visitors. Each visitor should volunteer to see each delinquent so referred, and, after finding out his interests and wishes, to arrange with the most suitable organization in the district to effect his membership.

It will, of course, be optional for the leader of the organization to accept the delinquent. Care will be taken to see that those definitely belonging to religious denominations be referred to organizations of that denomination if available. No one, save the head of the organization, should be aware of the delinquent's record. The leader of the organization taking the delinquent could obtain further particulars from the Probation Officer.

It is obvious that the success of these proposals turns upon two factors: (a) the visitor who will be the link between the delinquent and the heads of the organizations; (b) the readiness of the organizations to accept these delinquents.

The boy or girl rejected by several organizations constitutes a special problem. These are the boys and girls who are most likely to become a danger to the State, either by drifting into general bad habits, or by becoming young criminals. The problem has two aspects: (a) the boy who is wild and rough; and (b) the definite bad character.

The rough boy merely means that the boy needs to be in a special club, and the problem might largely be solved by the formation in the rougher districts of special clubs of this character. For this rougher boy a somewhat different type of leader is required to whom this problem more particularly appeals.

The bad character presents greater difficulty. The matter demands consideration in connection with the question of juvenile crime. It is most important that the matter of the rejected boy shall not end with his rejection from a club; he ought to be notified or put in touch with some organization which could take the matter up and thus prevent the boy (or girl) drifting lower.

There should be a recognized official (or officials) in our towns, whose particular work should be the care of this type of boy or girl. He (or she) must be an educated trained social worker to whom this subject appeals. He (or she) should be in touch with the Children's Courts on the one hand, and on the other with the various boys' and girls' organizations. This official might also have general control of probation work or even be the Probation Officer.

To such an official should be notified the cases of all the boys or girls ejected from the various organizations for definitely unsatisfactory behaviour. They would then not drift out of notice.

The official should have available for all parts of the town

a list of individuals who would act as "elder brothers," and who would take a friendly personal interest in one or two of these lads; certainly not more than three should come under the notice of any one worker. These workers, both for the boys and for the girls, might be drawn largely from ex-members of brigades and clubs. The St. Vincent de Paul Society, which has organized a scheme of "Elder Brothers" to meet this particular need, is working very well. The "elder brothers" are very carefully chosen, and by no means all the volunteers for this work are accepted.

### PROBATION.

The Report of the Departmental Committee on the training, appointment and payment of Probation Officers was issued on the 10th March, 1922. The Committee state that probation under the Probation of Offenders Act is of great value as a means of reformation and is economical. The Committee are further of the opinion that probation should be used at an early stage in the offender's career, but where it has definitely failed, its use should not, as a rule, be repeated. Probation could, with advantage, be used much more freely in many courts and every court should have a probation officer at its disposal. Women officers should be appointed, as a rule, to supervise women probationers.

### WOMEN PATROLS.

The objects of the work of the women patrols are the protection of young people from the dangers of the streets and of their own love of excitement, and the helping of those who have already strayed. The women patrols began as a band of volunteers who patrolled the streets in the evenings, chiefly for the protection and help of young people. In many centres their work has proved the need for trained women police appointed as an integral part of the Police Force. In London, the Metropolitan Police Patrols, and in Bristol, Birmingham, Hull, Nottingham, and other cities Women Police, officially appointed and paid for out of the Police Funds, are doing valuable preventive work in the streets and in the Police Courts, chiefly in the interests of women and young people who come within the reach of the law, either as offenders or as offended against. In few places have they been given the full status and powers granted to men

in the Police Service ; but no doubt in time, when women have shown that their contribution to the service in their own sphere is as necessary as that of men, they will be given the full powers which have proved to be needed by all members of the force to secure efficient work. In certain provincial cities "Police Matrons" have been employed at the various police stations for many years—long before the War—to take charge of women and children in custody, to search them when necessary, and to assist the police in their work, especially in connection with prostitution, etc.

In their work in the streets and parks, women police are specially needed for patrol duty. The achievement of women in the Police Service was a feature of the work during the War. Much of the apparent freedom of behaviour and total lack of discipline amongst young people to-day is due to a perfectly natural and healthy longing for the romance and excitement often so pitifully wanting in their home and industrial lives. They seek an outlet for their repressed emotions and for romance in the crowded streets, heedless of the risk they run and often too ignorant of the dangers surrounding them.

The women patrols have shown that sympathy, a sense of humour and a real understanding of the needs of youth can do more to direct and control so much that is powerful and good into right channels than mere repression and condemnation.

In their work on the streets the patrols stand between young people and the Police Courts. Women and girls stranded or in difficulties have come to them for advice and help that can be most fittingly given by women to those of their own sex who need their aid. In those centres where their work has been established, social organizations, Juvenile Employment Exchanges, parents and guardians have sought their help in investigation of cases that have aroused their suspicions, or by which they have been baffled.

The increasing value of trained women acting officially and unofficially as women police foreshadows the acceptance in the near future of the principle that in every large city there shall be a department of women police attached to the Police Force to which anyone who is interested in the moral welfare of women and children may go for advice and help. Such a department will ensure the presence of trained women constables in the

Police Courts when women and children come within the reach of the law, and in the streets for the protection and surveillance of women and children.

### BORSTAL SYSTEM.

The "Borstal System" for the treatment, with a view to their reclamation, of selected persons of both sexes, technically termed "juvenile adults," was established under rules made by the Secretary of State on the 24th January, 1902, and has since been extended. The system was devised to meet the case of offenders between the ages of 16 and 21, who were too old for admission to industrial and reformatory schools, but not so old as to preclude hope of their reclamation under proper treatment. The experiment was tried first at the prison at Borstal—formerly a convict prison. It is in an exceptionally healthy position on the downs overlooking the River Medway. Other prisons are now in use for the same purpose. The system was not devised primarily for the case of first offenders, or novices in crime, in which the help of the Probation Officer is generally more suitable. but for young recidivists, guilty for the most part of acts of larceny, and rough and undisciplined lads of the lounging or "hooligan" type, who are apparently drifting towards a career of crime. This material, as the Home Secretary has pointed out, is often painfully unpromising and difficult, but the object of the system is to arrest the growth of the criminal habit, and by a system of hard but attractive work, educational instruction, both mental and moral, and strict discipline tempered by contrivances of reward and encouragement, to inculcate habits of industry, self-respect, and self-control, and lay the foundation for thorough and lasting reform.

The following are shortly the principal features of the system—

1. Instruction in some useful trade or handicraft.
2. Education is given special attention. A library is available. Lectures and addresses are given from time to time and steps are taken to bring prominently before the "patients" the effects of over-indulgence in alcoholic liquor.
3. Drill. Every lad who is medically fit is exercised regularly during his sentence in physical and military marching drill.
4. A scheme of rewards and encouragement to industry and good conduct. Upon earning a certain number of marks, the juvenile adult passes into a special grade, where he enjoys

better cell furniture, an iron bedstead and spring mattress instead of a bed board, a strip of carpet, and looking glass, and—what is generally appreciated most of all—association in the reading-room, under supervision of the Chaplain, for one hour after labour ceases each day for the purpose of amusements—playing chess, draughts, and other games, reading magazines, and conversation. A prisoner with twelve months' good conduct in this Special Grade may be selected for employment on an adjacent farm or elsewhere. Remission of his sentence may follow upon continued good conduct.

As an adjunct quite indispensable to any scheme for the reclamation of young criminals there must always be effective means of supervision and rehabilitation after discharge from prison, and this is provided by a voluntary association, called the Borstal Association, working in many cases through the local Discharged Prisoners Aid Societies.

A youthful offender may be unsuitable for Borstal treatment by reason either of his character or of his health. If he is of good antecedents, he is more likely to be affected adversely by association with inmates of bad character than to derive benefit from the system, and if he is mentally deficient, subject to epilepsy, or suffering from defects which are likely to render him unemployable on discharge, then he is considered unsuitable. Careful rules were laid down by the Home Secretary at the end of 1919 as to the persons likely to be most benefited by Borstal treatment, and in all cases where this treatment is proposed, the Prison Commissioners cause inquiries to be made, before conviction, as to the suitability of the offender therefor. Report is then made to the Court before sentence.

Prominence has been given in the Press recently to allegations of unsatisfactory conditions at Borstal Institutions. Undoubtedly mistakes are made, but one feels sure that the principles are the right and proper ones, and if care is taken in the choice of the places and persons required to carry them out, a large measure of success will attend the efforts which are made. Indeed, many thoughtful people will ask "Why stop at age 21?" and it may well be that in course of time our present prison system may be influenced to a great extent by the fruits of the experience gained in Borstal Institutions.

## CHAPTER XXVI

### THE WORKER

#### THE UNEMPLOYED WORKMEN ACT, 1905.

It is probable that no department of social and industrial legislation is beset with greater difficulties in its successful administration or greater dangers to the national life in its unwise treatment than that initiated by the Unemployed Workmen Act, 1905. Few charged with the administration of that Act can fail to recognize certain facts and features connected with the problem that both contradict some popular notions and arouse attention as to causes and remedies that have not yet received either general approval or serious consideration.

Winter by winter every local authority in our large industrial areas has been forced to give anxious attention to and, in many cases, apply more or less hurried, and often panic-stricken palliative, to the local conditions of this national evil. The results of the trouble, rather than the treatment of the causes, have in the past dominated both consideration and action. It is not surprising, therefore, that mere alleviation and not wisely-planned preventives have so far been generally attempted. The causes of the problem have received but little consideration.

The truth is that the wide and increasing extent of the problem finds its explanation in a combination of personal, educational, and economic conditions. While legislation must necessarily concern itself in meeting the results of such conditions there should be kept to the forefront the dictum that prevention is better than cure.

**The Personal Factor.** In this connection, as much as in any other problem of social and industrial administration, the personal factor plays a most important part.

A man who is out of work for long nearly always degenerates. For example, if a decent fellow falls out in October, and fails to get a job, say, by March, he loses his anxiety to work. The exposure, the insufficient food, his half-starved condition, have such a deteriorating effect upon him that he becomes indifferent whether he gets work or not. He thus passes from the unemployed to the unemployable state. It ought to be a duty of the nation to see that a man does not become degenerate.

The ultimate justification of all social legislation must lie in the moral and intellectual improvement of the people and this aspect of the problem has received the consideration of all reformers, but only recently in regard to the adolescent.

As long ago as November, 1893, the Board of Trade issued a Report on the Agencies and Methods for dealing with the Unemployed. For this report Sir Hubert Llewellyn Smith was responsible. The aim of the report was "to analyse and break up into their elements the congeries of industrial and social problems which are lumped together, in common language, as the 'problem of the unemployed,' to survey broadly the ground covered by existing agencies professing to deal with various aspects of this problem, to state clearly the principles underlying their efforts and the objects at which they aim, to assign, so far as may be, the precise functions which each may perform, and the relation in which its work stands to other efforts; and, finally, to deduce from this analysis any general conclusions which may be drawn from previous experiments as to the lines along which future efforts may proceed with the least chance of failure."

**Meaning of Unemployed.** The word "unemployed" is generally applied in at least four different (though occasionally overlapping) senses to: (1) Those whose engagements being for short periods have terminated their last job and have not yet entered on another. (2) Those who belong to trades in which work fluctuates, and who, though they may obtain during each year a full share of the work afforded by their industry, are not at the given time able to get work at their trade. (3) Those members of various trades who are economically superfluous, because there is not enough work in those trades to furnish a fair amount to all who try to earn a livelihood at them. (4) Those who cannot get work because they are below the standard of efficiency usual in their trades, or because their personal defects are such that no one will employ them.

**Solutions of the Problem.** The solutions of the problem are two, viz., that of permanently removing the unemployed from the labour market, and that of temporarily assisting them to tide over their difficulties till their industry revives. Mixed up with plans like these is often a third idea, that of reclaiming by moral or other influences the industrial "sediment" which lies below the real body of self-supporting labour, and is unemployed because it is entirely or nearly economically worthless.

This is essentially a social rather than an industrial problem, though in practice it is found inevitably to confront those who attempt to deal with the unemployed on industrial lines. The report describes the rules and practices of the chief trade unions in dealing with the unemployed, the working of labour bureaux, and it treats of municipal relief works. The conclusion was as follows : " The result, then, of this inquiry is not to pronounce the problem insoluble, but to suggest that any hopeful solution is less a question of remedying results than of removing causes. Here we open up questions lying outside the scope of this report. So far as inefficiency is due to imperfect knowledge of a trade, we touch the question of training ; so far as it is a matter of personal or moral deterioration, questions of sanitation, and the general physical surroundings and conditions of labour are involved ; so far as it is a matter of excessive trade oscillations, we verge on the wide and difficult question of the extent, if any, to which the violence of these fluctuations is due to preventable causes."

**State Action.** It was the economic results of the South African War, however, which necessitated definite action on the part of the State. The Local Government Board informed the York Board of Guardians that they had no duty in regard to finding employment for persons temporarily out of work. Their duty was to relieve destitution, and in connection with this relief they were required by the regulations in force to impose in certain cases a task of work as a test of destitution. This attitude on the part of the State was not sufficient to meet the difficulty.

The distress throughout the country increased and as a result the Rt. Hon. W. H. Long, M.P., President of the Local Government Board, called a Conference of Metropolitan Guardians at the offices of the Local Government Board on 14th October, 1904, to which he submitted a scheme for dealing with the unemployed. This proposed that a joint committee should be established in each metropolitan borough consisting of representatives of the Borough Council, of the Board of Guardians, and of charitable and parochial associations in it.

A central committee should be formed on which each of the joint committees should be represented. It would seem desirable that the London County Council should also be represented on the central committee, and if there was a general wish that the President of the Local Government Board should nominate a

few additional members, so that some persons of experience, not connected with a particular borough or union, might be added to the committee, he would be willing to nominate a few members accordingly.

The central committee would be in constant communication with the joint committees, would gather and distribute information as to employment, and would administer the funds entrusted to them. They would deal as far as possible with cases of the unemployed in any borough for whom employment could not be found by the joint committee of that borough, and who were referred to them by that committee.

It was hoped that the funds of the central committee would be largely furnished by means of subscriptions from private persons and others, but they would in all probability in the course of the winter require contributions in addition from the borough councils. It was suggested that these should be based on the assessable value of the borough, and in this way the cost would be spread uniformly over the metropolis.

The Local Government Board would be prepared, where necessary, to sanction such contributions to the central committee by the borough councils under the Local Authorities (Expenses) Act, 1887.

In the selection of men to whom employment should be given, it would be important that the joint committees should act on uniform principles. The central committee would frame rules for the guidance of the joint committees, but one or two points were mentioned.

It was desired that every care should be exercised to sift the applications made, and that all possible precautions should be taken to limit the cases dealt with to those of actual necessity in which the circumstances were such that they would properly be dealt with only on the lines above indicated.

**Legislation Introduced.** Following upon these proposals, Mr. Gerald Balfour, who had succeeded Mr. Walter Long as President of the Local Government Board, introduced the Unemployed Workmen Bill, which afterwards became the Unemployed Workmen Act, 1905. The object of the Act was to assist only a limited class of the unemployed. It was intended for the benefit of those who were respectable workmen, settled in a locality, workmen hitherto accustomed to regular work, but temporarily out of employment through causes over which they had no

control. Preference was to be given to those workmen who had established homes in the neighbourhood. Cases of recurrent distress would be more suitably dealt with under the ordinary Poor Law. If the local body were satisfied that any applicant was honestly desirous to obtain work, they might endeavour to find employment for him ; or, if they thought the case was one for treatment by the central body rather than by the local, they could refer the case to the central body. The central body, if they thought fit, might assist an unemployed person by aiding his emigration or his removal to another area, or by the provision of temporary work, or by assisting him into a position to obtain regular work and support himself. The remuneration given for any temporary work was to be less than that which, under ordinary circumstances, an unskilled labourer would earn for a full week's work. Any expenses under the Act were to be defrayed out of the central fund, to be managed by the central body, which should be supplied by voluntary contributions given for the purpose, and by contributions made at the demand of the central body upon the local authorities. A separate account was to be kept of the contributions made by local authorities out of the rates, and no expenses of providing temporary work, except at a farm colony, were to be paid out of this account. The provision of temporary work or assistance under this measure was not to disfranchise a man from voting in parliamentary or municipal elections. None of the new bodies to be created would be empowered to provide work themselves, except out of their voluntary contributions. The Act expressly negatived their providing it out of the rates. The purposes for which the rates could be drawn upon were four, namely : (1) the expenses of the establishment of the local and central bodies ; (2) providing and maintaining labour exchanges ; (3) expenses connected with migration and emigration ; and (4) expenses of acquiring land and maintaining a farm colony, and providing work for unemployed persons upon such farm colony.

**Relief Works.** In connection with the relief works of a local authority, hitherto the rule had been that the work should be non-continuous. This probably did more harm than good, because it was not enough to prevent a workman's home being broken up, while it satisfied those who were content to work only one or two days a week. In the past, there had not been proper discrimination, and the object of the Act was to create machinery

for the better discrimination between the deserving and the undeserving unemployed. The Act was intended to create permanent machinery, which would organize and combine and influence, in directions which had been approved by experience, efforts for the relief of the unemployed. Better machinery was needed to discriminate between the class of persons it was desired to assist and the class who ought to be left to be dealt with by the Poor Law. This question of discrimination was the crux of the whole scheme. In counties where bodies had not been established under the Act, the county council would be under an obligation to constitute a special committee charged with the duty of establishing labour exchanges and employment registers, and the result would be to provide a network of labour bureaux and employment registers all over the kingdom which would be of great use.

It was claimed against the measure that it would create a class of paupers free from the stigma of pauperism and undermine the self-reliant spirit of the working classes. It was also believed that the result would be to create a class of men whose object would be to continue in the employment of the local authority, and therefore a new dependent class, which would be a danger to every community.

On the 20th September, 1905, the Local Government Board issued a circular dealing with the Unemployed Workmen Act to councils and guardians in populous boroughs and urban districts.

**Distress Committees Established.** Together with the circular the Board issued an order, called "The Urban Distress Committees (Unemployed Workmen) Order, 1905," establishing a distress committee of the council of each borough and urban district with a population, according to the last census, of not less than 50,000, and providing for the constitution and proceedings of such committee. The order prescribed the number of members of the distress committee, which varied according to population.

Where more than one Poor Law Union is wholly or partly within a borough the number of guardians to be appointed has been divided between the unions concerned, regard being had to their population and rateable value. One member at least of the committee must be a woman.

The term of office of the members of the committee is regulated by the order, a member of the committee who is a member of

the council or Board of Guardians continuing to serve until he dies, resigns, or goes out of office. As regards any member appointed from persons experienced in relief of distress, the council may prescribe the period for which he is appointed.

The distress committee established by the order has the same powers and duties, so far as applicable, as are given by the Act to the distress committees and central body in London. The Board subsequently issued a circular and regulations under Section 4 of the Act, with respect to the powers and duties of the distress committees.

The Act was originally passed for three years but has been renewed from time to time under the Expiring Laws Continuance Act. The reasons why it has been in abeyance since the Armistice is discussed in Chapter XXX.

### **INSURANCE AGAINST UNEMPLOYMENT.**

In 1902 the German Imperial Statistical Department instructed the German Home Office to ascertain what schemes have hitherto been adopted for insuring against the consequences of unemployment, and with what results. The labours of the Home Office were completed, and the report, contained in three volumes, issued in 1906.<sup>1</sup> There are in this Report many matters of great interest to public bodies in this country, but the attitude of the German authorities towards the question of unemployment and their methods of meeting the trouble are of special interest.

### **EUROPEAN METHODS.**

According to the Report, France and Norway were then the only countries in Europe in which unemployed benefit funds received monetary aid from the State. In France, the principle was adopted for the first time in the Budget Law of April, 1905, whereby a sum of £4,000 was voted for the ensuing financial year for subsidizing the funds of societies (trade union or other) which provide assistance for their members during temporary unemployment. The Norwegian law, which was passed in July, 1905, came into operation on 1st October, 1906. The amount to be expended by the State in subsidizing the unemployed benefit funds had not been fixed, but of the total expense incurred by the State under this head in any year two-thirds must be refunded to it by the local authorities of the

<sup>1</sup> "Die Bestehenden Einrichtungen zur Versicherung gegen die Folgen der Arbeitslosigkeit im Auslande und im Deutschen Reich." Berlin; Julius Sittenfeld. 1906.

places in which the recipients last resided for a period of six consecutive months within the previous five years.

In Europe there were, in October, 1906, six countries which voted public money for the assistance of unemployment funds, viz., Belgium, Switzerland, France, Italy, Germany, and Norway. Belgium led the way in 1897, when the Provincial Council of Liège voted a sum of £60 in support of the unemployed benefit funds of trade unions. This example was followed by the Provincial Councils of Antwerp, Hainault, and Namur. It is the municipalities, however, that have shown most energy in promoting unemployed benefit schemes based on the principle of self-help.

### THE GHENT SYSTEM.

The earliest action in this direction was taken by the municipality of Ghent, in August, 1901, as the result of a recommendation made by a Special Commission on Unemployment, which advised the formation of a municipal unemployment fund under conditions specified in a set of rules which they submitted for consideration. The system applied in Ghent has since been adopted, with certain modifications, by many other municipalities in Belgium, including those of Brussels, Antwerp, Bruges, Liège, Malines, Louvain, Courtrai, Verviers, and Alost.

First, the municipality established the insurance fund against unemployment and defrayed the cost of administration. This special fund either provides a supplement to sums paid to their members as unemployed benefit by trade unions and other organizations, or supplements any provision made by individual thrift for the specific case of unemployment.

In the case of unemployed benefit, paid by societies, the municipal supplement must never exceed the amount of such benefit. In calculating that amount for the purpose of determining the amount of the supplement, no account is taken of any benefits paid to any one member for a period exceeding sixty (formerly fifty) days in one year, nor of any benefits at a higher rate than one franc (9-6d.) per day. Societies desiring that their members should participate in the supplements provided by the fund, are required to send in each month a return showing the number and amount of all payments in respect of such benefits made by them, and to furnish each year their balance sheet, also their rules and regulations.

In the case of the individual who does not belong to any trade union, participation in the municipal subsidies follows if he can show himself "to be the rightful owner of a pass-book showing an account with the National Savings and Pensions Bank, and to submit to the measures of supervision provided for in the rules of the municipal fund." Sums withdrawn by such a persons from the savings bank during unemployment are accorded a municipal supplement at the same rate as that in respect of unemployed benefit.

The fund is administered by a committee re-elected every three years, consisting of members of the town council and representatives of members of the affiliated trade unions and other societies for paying unemployed benefit. The committee appoints an inspector, whose duty it is to verify the declarations as to unemployment made by affiliated unions or individuals, and authorized to inspect all books and records relating to unemployed benefit kept by the unions.

The report of the Managing Committee of the fund at Ghent shows that in 1898, before the Special Commission on Unemployment was formed, the total of all sums devoted by the trade unions of Ghent to insurance against want of employment was only £600 a year. In 1900, when the recommendations of the Commission were known, and the trade unions were preparing to avail themselves of the opportunity of having the efforts made by their members supplemented under the scheme, the amount devoted to unemployed benefit reached £1,000. In 1902, the first complete year during which the system of municipal supplements was in operation, the unemployed benefits paid by the Ghent unions (irrespective of the supplements) amounted to £1,648, in 1903 to £1,411, and in 1907 to £1,544. Including the supplements, the aggregate unemployed benefits paid by the unions in those years amounted to £2,295, £2,171, and £2,487 respectively.

The Ghent system was adopted by Antwerp on 1st September, 1906, and during the first complete year of its operation the unemployed benefits paid by the unions from their own resources amounted to £762, and in 1904 to £1,118. By the addition of the municipal supplements these sums were increased to £1,112 and £1,688 respectively.

The object of the framers of this system is not so much to provide relief during periods of unemployment as to stimulate

self-help. They claim that the results of its working show that their object has been attained, one of the good results being the great increase in the number of trade unions all over Belgium which are organizing unemployed relief. The latest information available for the German Home Office shows, according to M. Varlez, the President of the Ghent Municipal Unemployment Fund, that this system of public subsidies to unemployed benefit funds was in January last being applied in one form or another in towns and parishes in Belgium with an aggregate population of 5,000,000. Scarcely any use, however, has been made of the individual system, which has therefore come to be regarded as a failure and has not been adopted by the other municipalities. The system is worked entirely by trade unions.

### SWISS METHODS.

Switzerland furnishes two examples of the expenditure of public money by local authorities in aid of unemployed benefit funds. The one is the Berne Municipal Unemployed Insurance Fund, which has been in existence since 1st April, 1893 ; and the other is the Basle Trade Union Unemployed Insurance Fund, established since 1st April, 1901.

The Berne fund is worked in close connection with the municipal labour registry, and is controlled by a sub-committee of the committee which manages that registry. The amount of the municipal contribution to this fund, originally fixed at £200, is now £480 per annum, and represents 64 per cent of the total revenue of the fund for the year ended 1st March, 1905, the rest being made up by contributions from insured workpeople (25 per cent), employers (6 per cent), donations, interest, etc.

The Basle unemployed benefit fund is a trade union institution established by the local trades council. The annual grant from the Cantonal Government, at first £40, now amounts to £80, a sum which exceeds by £6 the revenue accruing to the fund from the contributions of its insured members.

### COMPULSORY UNEMPLOYMENT INSURANCE.

Switzerland was the only country in which the experiment of compulsory unemployment insurance had yet been tried. The experiment was made by the town of St. Gall, under a law passed by the Great Council of the Canton of St. Gall, giving power to municipal and communal authorities to introduce a

system of insurance against unemployment, which should be compulsory for all male wage-earning workpeople whose average daily earnings did not amount to more than 4s. The experiment which lasted from 1st July, 1895, to 30th June, 1897 (during which period it was helped by grants of public money amounting to £1,300), was unsuccessful.

### SUBSIDIES FOR TRADE UNIONS.

Six towns in France have adopted the principle of subsidizing trade union and other unemployed benefit funds. These are Limoges, which adopted the system in 1891, Dijon in 1897, and Rheims, Lyons, Tarbes, and Amiens in 1904.

The sums voted were small. Limoges voted only £42 from 1891 to 1894 ; for 1896 a sum of £240 was voted, and during the six years 1897-1902 sums amounting in all to £1,780, and the participating unions numbered 32, with 2,285 members in 1902, as against 19, with 1,432 members, six years previously.

The town of Dijon spent altogether £1,054 in subsidies in the years 1897-1902, or about £176 per annum on the average. The number of unions participating in 1902 was 11, with 3,130 members, as against 13 unions with 2,320 members in 1897. In the year 1900 the town council found "the extent to which trade unions were exerting themselves in order to obtain the subventions to be so slight" that they reduced the vote from £400 to £250.

Rheims and Tarbes voted £200 and £20 respectively in 1904, and Amiens voted £200 in 1905.

In Rheims and Amiens the municipal supplements are in proportion to the benefits actually paid out of the union funds (the Ghent system) ; in Limoges, they are based on the number of members belonging to the fund ; in Lyons, on the amount of the members' subscriptions, while in Dijon they represent a sum sufficient to meet any deficit not exceeding the aggregate contributions of the members.

Neither Italy nor Germany subsidize trade union unemployed funds. Since 1901 a "Society for making Provision for Unemployed Workmen" has existed in Venice. The "Insurance Fund," organized by this society, receives £400 per annum from the town, and £80 per annum from the Provincial Council, besides the interest on a sum of £1,200 voted by the Town Council in the years 1896-8 for providing for the unemployed.

The society at Venice reports that the "experiment at insurance has proved a complete failure," and that the scheme will have to be radically altered. Altogether 452 workpeople insured with the fund in the year 1903-4, and 329 drew unemployed pay amounting to £688.

In Cologne a scheme of "Insurance against Unemployment" is assisted out of public money, the municipality making a yearly grant of £800.

### BRITISH PARLIAMENTARY ACTION.

The experience gained by the working of the Unemployed Workmen Act, 1905, had received the consideration of the Royal Commission on the Poor Laws and the Relief of Distress which reported in 1909. On the 19th May, 1909, Mr. Pickersgill called the attention of the House of Commons to the recommendations contained in the Minority Report regarding unemployment and moved: "That in the opinion of this House it is urgently necessary to take steps for the decasualization of casual labour, and for the absorption of the surplus labour thereby thrown out of employment; also to regularize the demand for labour, to develop trade union insurance against the risks of unemployment, and to establish training colonies and detention colonies."

The motion, which was seconded by Mr. Percy Alden and supported by Mr. Ramsay Macdonald, gave an opportunity to the President of the Board of Trade (the Rt. Hon. Winston Churchill) to make a statement on the subject of unemployment and the measures to be taken to cope with the problem on behalf of the Government. The proposals outlined for the establishment of labour exchanges and a system of compulsory insurance against unemployment received the support of Mr. F. E. Smith (now Lord Birkenhead), speaking on behalf of the Opposition.

The next step was the Presidential Address to the Economic Science and Statistics Section of the British Association, delivered at Sheffield, in September, 1910, by Sir Hubert Llewellyn Smith, K.C.B., M.A., B.Sc., F.S.S., the Permanent Under-Secretary of the Board of Trade, which department would have the administration of the proposed scheme.

In the course of this address the following points were emphasized, viz.—

1. The scheme must be compulsory.
2. The scheme must be contributory.

In addition, the following points were outlined, viz.—

1. There must be a maximum limit to the amount of benefit which can be drawn, both absolutely and in relation to the amount of contribution paid. With this double weapon of a maximum limit to benefit and of a minimum contribution, the operation of the scheme itself would exclude the loafer.

2. The scheme must avoid encouraging unemployment. It would be fatal to any scheme to offer compensation for unemployment at a rate approximating to that of ordinary wages.

3. For the same reason, it would be essential to enlist the interest of all those engaged in the insured trades, whether as employers or as workmen, in reducing unemployment, by associating them with the scheme as regards both contribution and management.

4. The group of trades to which the scheme was to be applied should be a large one, and it should extend throughout the United Kingdom, as it was essential that industrial mobility as between occupations and districts should be encouraged.

5. A State subvention and guarantee would be necessary, in addition to contributions from the trades affected, in order to give the necessary stability and security, and also to justify the amount of State control that would be necessary.

6. The scheme should encourage the regular employer and workman, and discriminate between regular and casual engagements. Otherwise, it would be subject to the criticism of placing an undue burden on the regular for the benefit of the irregular members of the trade.

It was upon the principles thus laid down that Mr. Sydney Buxton (now Lord Buxton), the President of the Board of Trade, moved the second reading of the National Insurance Bill in the House of Commons, on the 24th May, 1911, claiming that while in regard to many details there would be considerable controversy, there was an almost unanimous feeling with regard to the main principles. The Bill was a somewhat complex one, but the underlying principles were simple. The idea on which it was based was: that under existing conditions the whole burden of sickness, invalidity, and unemployment, over which a workman had no control, fell in the first instance with crushing force on the individual, whether he was provident or improvident. Such conditions were not just, and it was time that the State entered into partnership with the employer and the worker to mitigate, as far as possible, the weight of the burden. The

question was whether a scheme of insurance against sickness and unemployment was really possible. The principle of insurance was growing in public favour, and was being applied in every department of life. This Bill became Part II of the National Insurance Act, 1911, and was amended from time to time during the nine following years.

### UNEMPLOYMENT INSURANCE ACTS, 1920 to 1922.

The Unemployment Insurance Act, 1920, passed 9th August, 1920, codified the law on the subject. It was almost immediately amended by the Unemployment Insurance Act, 1921, which received the Royal Assent on the 3rd March, 1921; and the Unemployment Insurance (No. 2) Act, 1921, which received the Royal Assent, 1st July, 1921. The Unemployment Insurance Act, 1922, was subsequently passed as an emergency measure to cover the period to June, 1923.

**Insured Persons.** Insured persons as from 8th November, 1920, are all persons for whom Health Insurance contributions have now to be paid, except out-workers, persons employed in agriculture (including horticulture and forestry) and in private domestic service. As distinct from Health Insurance, workers over 70 (other than Old Age Pensioners) are insurable.

**Excepted Employments.** These are employment under a local or other public authorities, in a police force, in the service of a railway company, or of a company undertaking the supply of gas, water, hydraulic power or electricity, or a dock, canal or tramway undertaking. Persons with rights under a statutory superannuation scheme, including teachers, if the Minister of Labour certify that they are not subject to dismissal except for misconduct, or for neglect of, or unfitness to perform, their duties; and are employed under terms and conditions which make insurance unnecessary. Persons over 70 who are Old Age Pensioners are excluded as regards both contributions and benefits.

### Weekly Rates of Contributions on and after 4th July, 1921—

	<i>Employer.</i>	<i>Employed.</i>	<i>State.</i>
Men of 18 and over . . . .	8d.	7d.	3½d.
Women of 18 and over . . . .	7d.	6d.	3½d.
Boys of 15 and under 18 . . . .	4d.	3½d.	1½d.
Girls of 16 and under 18 . . . .	3½d.	3d.	1½d.

plus Dependants' Grants contributions under the Unemployed Workers' Dependants (Temporary Provision) Act, 1921. These

contributions were amalgamated by the Unemployment Insurance Act, 1922.

A full contribution is payable for each calendar week (commencing Monday) in which there has been any insurable employment.

The method of paying contributions is by means of special unemployment insurance stamps, purchased by the employer and affixed by him to an unemployment book. This book must be obtained in the first instance by the employee, who will hand it to the employer.

**Weekly Rate of Benefit.** On and after 3rd March, 1921, the weekly rate of unemployment benefit is as follows—

Men	.	.	.	.	.	.	.	20s.
Women	.	.	.	.	.	.	.	16s.
Boys (between the ages of 16 and 18)	.	.	.	.	.	.	.	10s.
Girls	"	"	"	16	"	18)	.	8s.

On and after 30th June, 1921, the Unemployment Insurance (No. 2) Act, 1921, amended the weekly rate of unemployment benefit as follows—

Men	.	.	.	.	.	.	.	15s.
Women	.	.	.	.	.	.	.	12s.
Boys (between the ages of 16 and 18)	.	.	.	.	.	.	.	7s. 6d.
Girls	"	"	"	16	"	18	.	6s.

while the Unemployed Workers' Dependants (Temporary Provision) Act, 1921, provided temporary grants for the six months from 10th November, 1921, to unemployed workers who are in receipt of benefit under the Unemployment Insurance Acts, 1920 and 1921, towards the maintenance of their wives, dependent husbands, and dependent children. The Temporary Grants were in accordance with the following scale—

To a man in respect of his wife	.	.	.	.	.	.	5s.
To an unmarried man or a widower in respect of a female person residing with him for the purpose of having the care of his dependent children, or a female person who has been or is living with him as his wife	.	.	.	.	.	.	5s.
To a wife in respect of her husband if he is prevented by physical or mental infirmity from supporting himself and is being maintained wholly or mainly by his wife	.	.	.	.	.	.	5s.
To a man or a woman in respect of their dependent children under 14 years of age, including step children, adopted children, and illegitimate children	.	.	.	.	.	.	1s. for each child.

By the terms of the Unemployment Insurance Act, 1922, the above benefits were combined as from the 17th April, 1922.

**Periods of Benefit.** The maximum periods of benefit that may be drawn are as follows—

	<i>Weeks.</i>
Between 3rd March, 1921, and 2nd November, 1921 (first "special period")	16
Between 3rd November, 1921, and 2nd July, 1922 (second "special period")	16
Thereafter, in each insurance year	26

By the terms of the No. 2 Act, 1921, the Minister may, however, authorize the payment of further benefit not exceeding in the aggregate six weeks within each "special period."

The Unemployment Insurance Act, 1922, provided that as from 17th April, 1922, benefits will be payable for the following periods—

April-October during 15 weeks ; November-June during 12 weeks.

In both periods the payments will be distributed at intervals, and power is taken to give two further extensions of five weeks each. The maximum duration of benefit provided for during the fifteen months to June, 1923, is, therefore, 37 weeks.

**Qualifications for Benefit.** (1) If contributions have been paid by an insured contributor under the Unemployment Insurance Acts, and have not been exhausted by the receipt of benefit, the contributor may draw benefit in respect of the unexhausted contributions to the extent of one week's benefit for every six unexhausted contributions, provided that either—

(a) At least twenty contributions have been paid in respect of the insured contributor since the beginning of the last preceding insurance year ; or

(b) The insured contributor proves that he is normally in insurable employment and genuinely seeking whole-time employment, but unable to obtain such employment.

(2) The principal preliminary qualification for benefit in the period up to 2nd July, 1922, will be the furnishing of proof of employment in insurable work in at least 20 weeks since 31st December, 1919, and of proof that the applicant is normally in insurable employment, is genuinely seeking whole-time employment and is unable to obtain it. In the case of ex-service men and women and merchant seamen covered by the Out-of-Work Donation Scheme in operation up to 31st March, 1921, the number of weeks in which insurable employment since 31st December, 1919, must be proved is reduced from 20 to 10 ; and, subject to the recommendation of the Local Employment Committee, this requirement may, in certain cases, be waived altogether.

(3) Before allowing benefit under these provisions, the Minister of Labour will, wherever there appears to be any doubt as to the validity of the claim, refer it to the Local Employment Committee for their recommendation. The Local Employment Committee may either recommend the grant of the full amount of benefit, or of a smaller amount, or may make the grant subject to review at a later period, or, finally, may recommend entire rejection of the claim. The Minister is empowered to issue directions to the Local Employment Committees regarding the exercise of their powers in this connection. In giving effect to these directions, Local Employment Committees are requested to bear in mind the great importance of subjecting all claims to a careful scrutiny.

**Conditions and Disqualifications for the Receipt of Benefit.**

Besides satisfying one or other of the preliminary qualifications, described in paragraphs (1), (2), and (3), applicants must fulfil the conditions and be free from the disqualifications for receipt of benefit as laid down in the Unemployment Insurance Act, 1920. The principal statutory conditions for the receipt of benefit by an insured contributor are—

1. That he has made application for unemployment benefit in the prescribed manner, and proves that since the date of the application he has been continuously unemployed.

2. That he is capable of and available for work, but unable to obtain suitable employment.

3. That he has not exhausted his right to unemployment benefit.

The Unemployment Insurance Act, 1920, Section 7, lays it down that an applicant is not to be refused benefit "by reason only that he has declined—

- (i) An offer of employment in a situation vacant in consequence of a stoppage of work due to a trade dispute ; or

- (ii) An offer of employment in the district where he was last ordinarily employed at a rate of wage lower, or on conditions less favourable, than those which he habitually obtained in his usual employment in that district, or would have obtained had he continued to be so employed ; or

- (iii) An offer of employment in any other district at a rate of wage lower, or on conditions less favourable, than those generally observed in that district by agreement between associations of employers and of employees, or, failing any such agreement, than those generally recognized in that district by good employers."

Subject to these specific rules the question whether any particular employment is "suitable" must depend largely on the circumstances of the particular case. Broadly speaking, it may be said that the test is the nature of the employment ordinarily followed by the applicant in the past, his degree of skill, and the prospect of his obtaining employment in his usual occupation within a reasonable time. The mere fact that the applicant dislikes the employment offered does not, in itself, make the employment unsuitable. There must, in addition, be some satisfactory ground for the objection. For example, if a woman who is prepared to accept day work as a domestic servant objects to becoming a resident domestic servant, this is not, in itself, a ground for holding that resident domestic service is not suitable employment in her case; there must be in addition,—for example—some valid objection arising from her domestic ties.

One further point should be noted in connection with the interpretation of suitable employment, viz., an applicant would not necessarily be regarded as being unable to obtain suitable employment merely because no offer of employment had been made to him by the employment exchange. If it is reasonably clear that the applicant could obtain suitable employment by his own efforts if he chose to exert them, this is sufficient proof that he is not unable to obtain suitable employment.

4. An applicant for benefit must show that he is in fact unemployed, and he cannot draw benefit in respect of any day in which he performs work for which he receives any remuneration. The ordinary method of supplying this proof is by attendance daily within specified hours in order to sign the unemployed register.

5. An applicant who has voluntarily left his last employment without just cause, or has lost his last employment owing to misconduct, is thereby disqualified for unemployment benefit for a period which ordinarily lasts for six weeks. The facts in this connection are ascertained by inquiry addressed to the last employer on each occasion when a claim is made.

6. An applicant who has lost his last employment by reason of a stoppage of work due to a trade dispute at the factory, workshop, or other premises at which he was employed is disqualified so long as the stoppage of work continues, except

in a case where he has, during the stoppage of work, become *bona fide* employed elsewhere in the occupation which he usually follows, or has become regularly engaged in some other occupation.

**Method of Applying these Conditions and Disqualifications.** The method by which these conditions and disqualifications are enforced, and by which, at the same time, applicants are given the opportunity of safeguarding their rights, is as follows—

1. In the first instance, the manager of the employment exchange, before allowing benefit, must himself be satisfied that the applicant fulfils the conditions and is free from the disqualifications. If he is in doubt on any point, whether when the claim is originally made or at any time subsequently, he must suspend benefit.

2. Any such suspension is immediately reported to the insurance officer who is a statutory officer responsible for determining, subject to appeal as stated below, whether benefit should or should not be allowed.

3. If benefit is not allowed, the applicant, or any association of employed persons to which he may belong, is entitled to appeal, within twenty-one days of notification of disallowance, to the local Court of Referees. The Court of Referees is a statutory body consisting of an independent chairman, appointed by the Minister of Labour, and two representatives taken respectively from panels of employers and employed. In cases where the applicant is a woman, arrangements are made, wherever possible, that the Court shall include at least one woman member.

4. The insurance officer, or the association to which the applicant belongs, or (with the leave of the Court of Referees) the applicant himself, may appeal from the decision of the Court of Referees to the Umpire. The Umpire is a statutory officer appointed by the Crown, and his decision is final.

**Refund of Workmen's Contributions.** On reaching the age of 60, or in the event of death after that age, and having paid at least 500 contributions, the workman or his representative may withdraw his own part of the contributions that have been paid in respect of him with  $2\frac{1}{2}$  per cent compound interest. If a workman has drawn benefit less than the amount of those contributions, then he draws the balance with interest thereon. Special provision is made for workmen entering insurable employment

when over 55 years of age. This does not apply to persons who were insured under the National Insurance [Part II] (Munition Workers) Act, 1916.

**Arrangements with Associations and Societies.** The Minister of Labour may make arrangement with certain associations of employed persons to repay, periodically, to the association the equivalent of such sum which workmen would have received from the Unemployment Fund where such benefit is paid to workmen by the association.

The Minister of Labour shall not make arrangements with a society unless he is of opinion that the payments authorized by the rules of the society to be made to its members when unemployed are at least one third greater than the provision represented by unemployment benefit at the rate payable under the Act. The society must also have such a system of ascertaining the wages and conditions prevailing in every employment as is in the opinion of the Minister reasonably effective for bringing the unemployed members and employers into speedy communication.

**Special Provision for H.M. Forces.** Provision is made for persons serving in the Navy, Army or Air Forces under which they are entitled to a free credit on discharge of Unemployed Insurance contributions. This credit enables them, subject to the ordinary provisions of the Act, to draw unemployment benefit during a period up to fifteen weeks.

**Special Schemes for Industries.** Arrangements may be made whereby the duly accredited representatives of organized Industry may, with the approval of the Minister of Labour, contract out of the general scheme of insurance by setting up special schemes of their own, giving equal or superior advantages. If desired, two or more industries may combine to set up a special scheme. Special schemes will be administered by a Joint Board of Managers representing employers and employed on behalf of the industry or industries concerned. The form and amount of the contributions and benefits will be determined in the scheme itself, and need not be the same as those laid down in the general scheme.

**Supplementary Schemes.** Supplementary schemes may be set up by an industry which remains under the general scheme in order to provide additional benefits, including provision for short time or for periods of unemployment not covered by the General Scheme, e.g. the six waiting days, or a higher rate of benefit.

## CHAPTER XXVII

### INDUSTRY

#### EMPLOYMENT EXCHANGES.

THE suggestion for employment exchanges was not a new one. It had been made from time to time by the various committees which sat at the London Mansion House to deal with the problem of unemployment. Through a committee which sat at the Town Hall in 1893, Liverpool foreshadowed a labour exchange, including a central labour registry, and this recommendation was endorsed by another committee in 1894, which advocated a system very similar to that established by the Labour Exchanges Act, 1909, but lack of funds and improvement in trade led to the postponement of the project. No advocate of labour exchanges believed that they would create fresh employment, but that they would bring employers and employed together. It was not desirable that there should be discouragement of the individual worker in his own efforts to seek a situation. Labour exchanges were indispensable for the abolition of casual labour and also for the termination of vagrancy. Men who were found to be shirkers should be cut off from all sources of relief and compelled to earn their bread.

**Poor Law Commissioners' Report.** The experiences of the labour bureaux set up under the Unemployed Workmen Act, 1905, led to the unanimous support of the schemes by the Royal Commission on the Poor Laws and Relief of Distress, which reported at the beginning of 1909. "In the forefront of our proposals we place labour exchanges," declared the Majority Commissioners. The Minority Commissioners were no less emphatic, for they declared that "This National Labour Exchange though in itself no adequate remedy, is the foundation of all our proposals. It is, in our view, an indispensable condition of any real reforms."

It was therefore highly desirable, in fact necessary, that the Government should take action in the matter.

In the course of a speech delivered in July, 1909, the Rt. Hon. Winston Churchill, then President of the Board of Trade, referred

to the subject of the social and industrial organization of industry in the following words—

“Labour is the only commodity at present which has no market. Everything else is sold in a market, and so a fair price, and a standing price is obtained, but labour—the most precious of all commodities—the only thing which many honest people have to sell—their labour and their skill have no market, but has to be hawked and peddled from door to door and town to town seeking its buyer. The system of labour exchanges, if it is adopted, as I trust it will be all over the country, and comes into general use and custom, will afford to labour all the great advantages of a market. It will tell a man who wants a job where to go to look for one, and it will tell him—and this is just as important—where not to go to look for one. If he is unable to find his way there by himself it will aid him to arrive at his destination, the cost being recovered out of the wages of his new situation when he arrives therein. But there is another branch of social and industrial organization. There is the policy of insurance. It ought to be quite possible—we believe it is quite possible—to organize in many of the great trades of the country—trades like engineering, shipbuilding, and the building trades, where unemployment is chronic, and occasionally very severe—a system by which the workers can in good times make small contributions, which they could easily afford, to a fund to which their employers and the State would also contribute, so that in bad times, when the nip comes, and when they may easily be involved in acute distress, they may draw their unemployment benefit to tide them over to better days. The scheme which I hope to carry through Parliament in the next year will affect two and a quarter millions of the workers of this country, and will enable them to make effective provision against the risk of unemployment; and Mr. Lloyd George is at work upon an even larger scheme which, working with, or working through the friendly societies, will spread the great benefits and advantages of insurance against the death of the breadwinner and other evils of that class to far larger classes than have yet been able to profit by the existing voluntary machinery.”

**Introduction of Labour Exchange Bill.** It was on the lines thus outlined that the Labour Exchange Bill was introduced

by the President of the Board of Trade on 20th May, 1909. It received a second reading without a division in June, 1909, and was passed on 20th September, 1909, and became the Labour Exchange Act, 1909, coming into operation on 1st January, 1910. The Act is a short one, and provides that the Board of Trade, whose powers have now been transferred to the Ministry of Labour, may establish and maintain in such places as they think fit, labour exchanges, and may assist any labour exchanges maintained by other authorities or persons. These exchanges are "offices for the purpose of collecting and furnishing information, either by the keeping of registers, or otherwise, respecting employers who desire to engage workpeople and workpeople who seek engagement or employment." The system of labour exchanges is national in that it extends to all parts of the United Kingdom, and is directly managed and paid for by the State. The original scheme provided for about 250 labour exchanges, divided into about 40 first-class offices, about 40 second-class, and more than 150 third-class and sub-offices. First-class exchanges were to be set up in towns with over 100,000 population, and second-class in those with under 100,000 and over 50,000.

The United Kingdom of Great Britain and Ireland was divided, for the purpose of labour exchange information, into ten divisions, each in charge of a Divisional Officer. In each division are a number of labour exchanges of different grades, according to the number and importance of the towns to be served.

**System Adopted.** The system inaugurated provides that applicants are, as a rule, registered by a clerk who takes down their answers to questions put in accordance with the form of application, including particulars as to their names, occupations, and addresses. The information thus furnished is entered on an Index Card and constitutes a record in the "Live" Register, to which reference is made whenever an intimation is received that employers require this or that class of workman. If there is a demand for the type of employee who is registering, he will at once be dispatched with an introduction card to the factory, works, yard, or workshop, and may receive immediate employment. The cards of those who fail to renew their applications on the right day are generally left for a week or a fortnight in an "Intermediate" Register. Those who have obtained

employment or have not presented themselves at the labour exchange for some weeks automatically pass on to the "Dead" Register, and the entry will require renewal before he receives further attention.

Separate rooms are provided in the larger exchanges for women and girls, and this department is in charge of a woman superintendent or sub-manager. There is also a room set apart in which employers may interview likely applicants for situations.

Many types of buildings have been temporarily adapted to the requirements of the labour exchange—old post offices, custom houses, chapels, schools, works, factories, and shops. In one or two instances temporary structures of the pavilion type were erected, as, for instance, at Leicester. The Office of Works, in both Great Britain and Ireland, was responsible, as usual in the case of official buildings, for the hiring, adaptation, and furnishing of the exchanges.

The system has an important initial advantage over municipal labour bureaux which have eked out, in a handicapping connection with distress committees, a more or less precarious existence in some of our larger towns in recent years. All the exchanges are linked up throughout the kingdom, individual bureaux to the divisional clearing-house, and the divisional clearing-houses with the national clearing-house at Westminster. Returns of situations unfilled and workpeople disengaged are sent from the exchanges to the clearing-houses, and these, in turn, distribute the information to the exchanges in other areas, so that particulars of situations open and workmen seeking employment may reach the favourable labour market. Supply and demand meet each other, to the great advantage of both, and with the consequent national gain. The work and the worker are thus brought into touch throughout the United Kingdom. The Labour Exchanges Act authorized advances to be made, by way of loan, towards meeting the expenses of workpeople travelling to places where employment has been found for them through a labour exchange. A railway ticket may be purchased for the worker who is without adequate means for getting to his new situation and starting work, and the cost collected from him, in instalments if necessary, when he has become a wage-earner again.

**Ministry of Labour Control.** The Labour Exchange sub-department of the Board of Trade was attached to the Commercial, Labour, and Statistical Department, of which Mr. G. R. Askwith,

K.C. (now Lord Askwith), was Comptroller-General. It is now one of the Departments of the Ministry of Labour. The first director was Mr. W. H. Beveridge (now Sir William Beveridge), author of the standard British work on *Unemployment*, a former Vice-President of the Central Body for the Unemployed (London). Prior to taking up the preparatory work for the institution of the State system of labour exchanges, he had played an important part in the management of the London labour bureaux, had done much useful work at Toynbee Hall, and had written largely on social questions as a member of the editorial staff of the *Morning Post*. The General Manager was Mr. C. F. Rey, formerly Private Secretary to Sir Hubert Llewellyn Smith, Permanent Secretary of the Board of Trade. Mr. Rey was an administrative official who had been much in touch with the industrial world and its leaders on both the employing and the employed sides. Several of the divisional chiefs, who were personally appointed by the President of the Board of Trade, had done good social work in London and the provinces, and not a few women students from the Universities secured appointment as assistant superintendents of exchanges. The general staff was appointed by a committee of selection, representing official interests as well as those of employers and employed. The Act had the unique distinction of receiving the almost unanimous assent of Parliament, and also the good wishes of all who desired to see the casual labourer converted into a regularly-employed workman, and the problem of juvenile employment in some degree solved. It was the first great step toward the elimination from our industrial system of the following cases : (1) the honest workman who wants employment and cannot find it ; (2) young persons of both sexes who take " blind-alley " employment for the sake of the immediate earnings and then are thrown out to fill the unskilled labour market to overflowing ; (3) the docker who works two days in a week, and is semi-starved for the rest of the seven ; (4) the loafer and the work-shirker, always seeking a job, with a strong determination not to find it ; and (5) the unfit, for whom the public infirmary is probably the right place.

**Alteration of Title.** On the 11th October, 1916, the Board of Trade announced that in future the labour exchanges under their control would be termed " Employment Exchanges," a title which corresponds more accurately to their real functions. The scope of the Employment Department of the Board of

Trade would be enlarged so as to include in addition to Employment Exchanges and Unemployment Insurance, Trade Boards and certain other matters relating to labour. Mr. W. H. Beveridge, C.B., continued to be the head of the enlarged Employment Department. The President appointed Mr. C. F. Rey (hitherto General Manager of Labour Exchanges) to be Director of Employment Exchanges in succession to Mr. Beveridge, with the acting rank of an assistant secretary to the Department.

Later, by the terms of the Ministry of Labour Act, 1916, the work of the employment exchanges was transferred from the Board of Trade to the newly created Ministry of Labour as from 1st January, 1917.

### THE PRESENT ORGANIZATION.

For administrative purposes, the United Kingdom is divided into seven divisions, each under the control of a Divisional Controller, with headquarters at London, Bristol, Birmingham, Leeds, Manchester, Edinburgh, and Cardiff respectively. The whole system is controlled by the Employment and Insurance Department of the Ministry of Labour, the headquarters of which are at Queen Anne's Chambers, Westminster, London, S.W.1. Separate Departments have been set up in Dublin and Belfast respectively under the new Irish Governments.

**Exchange Organization.** The work of the employment exchanges falls under two main heads, viz. (1) that of bringing together employers requiring workpeople, and workpeople desiring employment; and (2) that of administering the State Scheme of Unemployment Insurance. Under the first head, the facilities of the exchanges are open without fee to any employer wishing to engage workpeople and to any workpeople desiring employment. As regards workpeople, the functions of the exchanges are not confined to those who are unemployed, though naturally the department feels a special responsibility for those who are actually out of work. The organization of the exchanges provides a ready means of bringing a demand for labour from any part of the United Kingdom into touch immediately with a supply in any other part. If vacancies cannot be filled locally, particulars are sent first to the group of neighbouring exchanges; if they are still unfilled, the particulars are sent to headquarters and thence transmitted

immediately in the form of a confidential daily "newspaper" to all exchanges in the country. Each exchange is thus kept informed from day to day of the unfilled vacancies at all other exchanges. The difficulty which workpeople would often experience as regards finding the railway fare to secure work at a distance is met by the issue of railway warrants by the exchanges, subject to a signed undertaking from the workman or his prospective employer guaranteeing the return of the advance.

Women are dealt with in a separate department of each exchange, which, in all but the smallest exchanges, is in charge of a woman officer. The effect of the war has naturally been to increase very greatly the work which exchanges do in connection with women.

Boys and girls under the age of 18 are dealt with in a special department of each exchange, except in the case of the smallest exchanges. In about 200 areas Juvenile Employment Committees have been set up in connection with juvenile departments of exchanges. These committees have been appointed under the Labour Exchanges Act, 1909, the Education (Choice of Employment) Act, 1910, or the Education (Scotland) Act, 1918.

**Signing Vacant Book.** The administration of unemployment insurance involves periodical visits by unemployed workpeople for the purpose of signing the Unemployed Register or Trade Union Vacant Book, the payment of benefit, the offer of suitable employment, and corresponding matters. Special arrangements apply to workpeople who claim benefit through their associations instead of through the exchanges.

Mention should also be made of the Courts of Referees which are local bodies for deciding disputed claims to unemployment benefit. These Courts, presided over by an independent chairman, consist of one representative each of employers and workpeople drawn from panels.

**Local Employment Committees.** When the employment exchanges were first established, Labour Advisory Boards, consisting of representatives of employers and workpeople, were set up. These were subsequently replaced by Local Committees, now called Local Employment Committees.

**MEMBERSHIP OF COMMITTEES.** (a) The Local Employment Committees are composed of equal numbers of representatives of employers and workpeople, nominated, as a rule, by the

respective associations in the various localities, together with a small number of additional members (in no case exceeding a third of the total membership) nominated directly by the Minister. These additional members are persons who are not directly connected with industry, and either represent bodies whose work should be closely linked with that of the exchange (e.g. the Local Pensions Committee), or are otherwise interested and influential in assisting the success of the work of the exchanges; (b) the chairman is nominated by the Minister, and the committee may, if they so desire, appoint a vice-chairman; (c) there is normally at least one woman member on each committee; (d) provision is made for the attendance of official representatives at the meetings of the committees and sub-committees, and the necessary secretarial assistance is provided by the department. The usual allowances for travelling, subsistence, and lost time are paid to members attending meetings of a committee or sub-committee.

**SUB-COMMITTEES.** In accordance with the Regulations, sub-committees may be appointed for dealing with special subjects. The membership of the sub-committees is subject to the approval of the Minister, who, however, proposes that the committees should have a wide latitude as regards the selection of the members; the members of the sub-committees need not be confined to persons who are on the main committee. A sub-committee for women must be appointed in all cases, unless the Minister is satisfied that it is unnecessary.

**NUMBER OF COMMITTEES.** There is in general one committee for each exchange. In large towns, however, in which there is more than one exchange, and in certain other special cases, two or more exchanges may be grouped under one committee, sub-committees of which will be formed, if convenient, for the various exchanges.

**FUNCTIONS OF LOCAL EMPLOYMENT COMMITTEES.** The general advisory functions of the committees include the consideration of any matters arising in connection with the working of the exchange. The committees are not confined to the discussion of matters referred to them by the department. Reports and figures with regard to the current working of the exchanges are furnished to the committees. One of the most important duties of the committees is to enlist the co-operation of both employers and workpeople in the use of the exchange, bearing in mind that

its value to each is enhanced by the degree to which it is used by all. Objections and criticisms, whether on general or special grounds, are considered by the committee, whose duty it is to make suggestions for meeting them. The manager of each exchange, under the supervision of his divisional controller, remains responsible to the department for the detailed working of the exchange and for the control of the staff. At the same time, the officers of the department make full use of the assistance and guidance of the committee in adjusting the various matters of grievance or difficulty that inevitably arise from time to time. The exchanges now receive particulars of all soldiers and sailors who are being discharged from the Army or Navy, and the committees endeavour to supplement the exchange machinery wherever necessary in dealing with these men. For instance, they arrange interviews or they may take special steps to find openings suited to them. As many of the men now being discharged are disabled to a greater or less degree, this work involves co-operation with the Local Pensions Committee. The special problems arising in connection with the employment of women are dealt with in the first instance by the women's sub-committee, already mentioned. The Committees possess important duties respecting recommendations as to benefit, as explained in the previous chapter on "Unemployment Insurance."

The exchanges premises, in most cases, include rooms which are suitable for use for meetings of local associations, such as branches of trade unions or approved societies, and are made available for such use, under proper conditions (including the payment of a small fee). The Regulations provide that accommodation for such purposes is to be granted by the department in accordance with rules to be drawn up by the committee and approved by the Minister.

Where Juvenile Employment Committees are established, the Local Employment Committees will not be concerned with boys and girls under 18. In order, however, to bring these special committees into proper touch with the Local Employment Committees, the former nominate a representative for appointment as an additional member on the latter. In connection with the Juvenile Employment Committees are After-care Committees, which are also represented upon the former body. The work of these committees is referred to in the chapter on the adolescent.

One should fully appreciate the importance of the problems with

which the Local Employment Committees are thus called upon to deal, and few will be disposed to under-estimate their difficulty.

### LIVERPOOL DOCKS SCHEME.

Where a body of casual labour is engaged along a large river frontage such as obtains in London, at Liverpool, and elsewhere cases of genuine hardship must occur, e.g. a man may have to trudge several miles, to collect his wages from two or three different firms on a Saturday. This means to say that a hard-worked docker, instead of being able to go to a football match or otherwise get some recreation, is forced to spend his "holiday" collecting his wages. Now, by means of the Liverpool Docks Scheme, a man gets all his wages, from whatsoever source earned, at one spot.

This scheme owes its origin to a Joint Committee of representatives of Shipowners and the Dockers' Union, under the chairmanship of Sir Alfred Booth, Bart., with Mr. Laurence Holt (shipowner) and Mr. James Sexton, M.P. (of the Dockers' Union), as joint secretaries. The administration of the original scheme was in the hands of Mr. Ronald Williams, B.A. (Oxon), and Mr. G. H. Edwards, both of the Ministry of Labour.

The payment of wages involves the payment of a large sum of money each week at the hands of the Dock Scheme officers, thus saving the employers a considerable amount of trouble.

A further important service rendered by the Scheme is the discharge of the employers' obligations under the National Insurance Acts. The Ministry of Labour undertakes—

- (a) The custody of the workman's insurance cards during such time as he is working at the Docks;
- (b) To deduct the workman's contributions from his wages;
- (c) To stamp his cards when he has wages to draw.
- (d) To apportion the employers' contributions for insurance according to the number of men employed.

The procedure necessitated by the clearance and payment of wages is as follows—

**Clearance of Wages.** On the morning of Friday, the firms estimate the amount of their wages bills up to 5 p.m., the time when the wage week ends, and pay in a cheque for that sum to the Accountant-Manager at the Central Clearing House. These cheques should all be received by 11 o'clock, when they are paid into the Liverpool Branch of the Bank of England to

the credit of the Dock Scheme Account and cleared the same day. As the cheques are received, the Accountant-Manager makes a note of the amount against each firm on a list he has already prepared, so that, finally, by an addition of the entries, he is able to form an estimate of the total sum which will be required to pay the wages on the following day. He then draws a cheque on the Bank of England, and the money is taken out on Friday afternoon and deposited in special safes at the Bank of England. It is necessary that the money should be drawn on Friday afternoon as it has to be apportioned between the managers of the various Dock Clearing Houses about 8 a.m. on Saturday. As the exact proportion of Treasury notes, silver, and copper is not known until after the clearance, this also has to be estimated.

To facilitate the clearance, wage sheets are printed in different colours to indicate the several areas. Blocks of tally numbers are also allotted to each area. In the case of the printed sheets, it is impossible, of course, for numbers to get on wrong sheets; but with regard to the blank sheets, the firms are supplied with particulars of the areal division of the numbers and are urged to use every care to avoid errors of this kind, as they involve inter-areal transfers and greatly increase the work of the clearance.

The firms are requested to send in their wage sheets to the Central Clearing House, where the clearance takes place, as soon as possible after 5 p.m. on Friday; and the clerks assemble at 6 p.m., by which time there is sufficient material to commence. Usually, all the sheets are in before midnight, but occasionally the clearance is held up until the small hours waiting for some belated timekeeper—the victim of exceptional pressure or insufficient staff. The first duty of the clerk-in-charge is to sort the wage sheets by colour, each being responsible for those of his own area. He then sees that his sheets are correctly totalled, and takes them to the Accountant-Manager to compare with the summary. The staff work in couples, usually at separate tables, and each area occupies a special circle within the room. The next step is the actual transfer of the items from the employers' wage sheet to the pay sheet. The latter is a large sheet containing all the tally numbers in the scheme (50 to 90,000), printed consecutively, though the individual areas deal only with those numbers specially allotted to them. The pay sheets are provided with three amount columns opposite each

tally number, the assumption being that the docker rarely works for more than that number of firms in one week. Each table in the room is devoted to a certain set of numbers, e.g. "A" area, with 5,845 men registered out of the 7,000 numbers allotted, has six tables, each representing approximately 1,000 numbers. One clerk at a table takes charge of the wage sheet and calls out the numbers and amounts to his colleague, who enters the latter on his pay sheet against the appropriate printed number, also inserting the firm's "key" number in the column provided for that purpose. With the printed pay sheets this operation is simple, as the numbers coincide with those on the pay sheet.

Special steps are taken to check the accuracy of the work as it proceeds, and various methods are adopted to ensure this. Where practicable, the three amount columns previously referred to are reserved for special firms. Alternatively, two may be used for the two largest firms in the area, and the third kept for the more casual employers. This method facilitates the accurate transfer of the wage items, and the wage and pay sheets lend themselves to a ready check, the columns consisting in each case of fifty lines, so that the additions are at once agreed. By this means the errors are infinitesimal and the final balancing is greatly facilitated. With the "Blank" wages sheets, however, the procedure is different and more complicated. To ensure further accuracy, an ingenious check has been devised. To each "blank" wage sheet a "Check Sheet" is attached. On this, the clerks who extract the items, enter the totals of the sums dealt with at each table and add their initials; so that, when the wage sheet has completed the circle of the area, the total of the entries on the Check Sheet should agree with that of the wages sheet. If it does not, a mistake has been made and, on investigation, the initials serve to locate the error. In addition, the totals of all the items posted from each wage sheet, both printed and blank, are also inserted on the "Summary of Check Sheets." This is retained at each table until the end of the clearance, when it is cast up and the grand total, less the aggregate insurance deductions (as shown by the pay sheets), should equal the sum of the "total net amounts" of the pay sheets concerned. This agreement of the wage sheets and pay sheets proves that the amounts have been correctly transferred from one to the other.

All the items on the wage sheets having been transferred to

the pay sheets, the next operation is to extend the totals by cross additions—in other words, to add together the total earnings of each individual docker, enter and deduct the insurance contributions (a special column is provided for this), and extend the net total. Finally, the columns in the pay sheets are cast up and agreed with each other ; that is to say, the sum of the three columns, which represent the several earnings of the docker, minus the aggregate insurance deductions, equals the total of the net amount column. Each pay sheet is signed by the clerk who enters it up, by the checker, and on the Saturday by the pay clerk, so that there is a full record of everybody concerned. Steps are taken to ensure that no pay clerk who may be engaged upon the clearance of wages shall pay on Saturday from sheets in the preparation of which he has himself assisted.

In the meantime, the Accountant-Manager has prepared his "Summary of Summaries" from the small summaries rendered with the wage sheets by each firm. This statement classifies the wages to be paid in areas. The final act of the clearance is the completion by the clerk-in-charge of each area of the "Pay Sheet Summary." On this the following particulars are entered in respect of each pay sheet, viz.—

- (1) The number of the pay sheet ;
- (2) The number of men to be paid ;
- (3) The total net amount of wages ;
- (4) The total amount of insurance deductions ; and
- (5) The gross total amount of wages = (3) + (4).

When the grand totals of this statement are agreed with the Accountant-Manager's Wages Sheet Summary—or Summary of Summaries—the operation of the clearance is complete, and the particular area is said to have been balanced.

A further important operation is to extract from the pay sheets the amount of each denomination of notes and coin required, which is entered on a form to be handed to the Accountant-Manager of the Central Clearing House. This is done by counting the number of pound notes, ten-shilling notes, and the pence, and deducting the sum from the total of the wage sheets, the difference representing the amount of silver required. To the exact amount of money required as shown by the pay sheet is added a sum of silver at the rate of £2 per pay clerk engaged, for the purpose of giving change. The necessity for this will be explained hereafter.

The Cash Withdrawal Slip having been handed to the Accountant-Manager at the Central Clearing House, the money required is obtained from him and a receipt given for the amount. The Clearing-house Managers then proceed to their areas.

As the result of more than ten years' experience the system in operation may be claimed to be almost fool-proof, for the totals on the firms' summary sheets and the wages sheets are agreed independently.

**The Payment of Wages.** On the arrival of the manager at the Dock Clearing House and the assembly of the staff, the first thing is to apportion the pay sheets among the pay clerks. Usually, one officer pays about 250 men, and the amount of money involved varies considerably. Each pay clerk proceeds to fill up his Pay Clerk's Summary with particulars of his pay sheets and the amount of change required, plus a sum of £2 for contingencies. This form is a receipt to the Manager for the money handed to the pay clerk, and at the close of the pay constitutes a balance sheet showing the amount of money to be returned to the Manager. It also gives particulars of unpaid and short-paid items and insurance adjustments.

All is now ready to begin the serious business of the day. It is 11 o'clock, the time fixed for opening the gates of the area and admitting the men. There is a good-humoured rush for a minute, and the men rapidly form themselves into orderly queues opposite each pay window. This is facilitated by the double handrailings which lead to the pay huts. Most of the waiting space is roofed in, so that the men do not get wet in rainy weather. Over each pay hut the numbers which are paid there are prominently displayed, and these are altered as rarely as possible, so that the men know at once where to go. The pressure is soon off, and by 12.15 the bulk of the men have had their money, the rate of payment averaging three men per minute. At Canada Dock ("B" Area), which is the largest Clearing House in the Scheme, more than 5,000 men will have been paid in this time from eighteen or twenty pay windows. It should be mentioned that the men have two or more metal discs or tallies in their hands. These are the Ministry of Labour's registered tally and the tally or tallies of the employers. The latter may be brass or white metal, the different metals being used in alternate weeks.

These tallies play an important part in the working of the

system, and it is necessary to realize what they stand for. In the first place, the Ministry of Labour tally is the emblem of registration in the Scheme. It is also a guarantee that the holder has two insurance cards deposited at the Clearing House. When engaging their labour, the timekeepers are required to take a note of the men's Ministry of Labour tally number, in order to book their time and, incidentally, to keep out unregistered men. This tally has also to be produced at the time of payment of wages for identification purposes, but after inspection it is returned to the man.

The employers also issue tallies in accordance with the old-time custom of the Liverpool Docks. These are given to the docker when he is engaged, and are a token that wages have been earned. They are surrendered at the pay window as a receipt for wages received. The clerk has, therefore, to see that he gets an employer's tally for every item on the pay sheet and also that it corresponds to the key numbers given. These tallies are also placed in the same compartment of the cash tray from which the money has been withdrawn. There is an obvious advantage in this system. It is a visible proof that payment has been made and is a check on the marking off of the pay sheet. It is also valuable evidence in case any dispute should arise as to the identity of the actual recipient of the money. For instance, occasionally a pay clerk will misread a number and pay the earnings of, say, 24598 to 24578 ; when the holder of the former tally appears, his money, which may be the larger of the two amounts, has been paid, and the question is, to whom ? This can readily be traced by means of the firm's tally, and a reference to the employers, who record both the Ministry of Labour and their own tally numbers in their time books. They can thus give the necessary clue to the man who has been paid the wrong amount.

At the close of the pay (1.30 p.m.), the Manager, or his deputy, goes over the trays and compares the amounts remaining on hand with the unticked items on the pay sheets, and also with the notes in those cases where the full amount has not been called for. A careful list of these—"unpaid" and "short-paid"—is then made up on the Pay Clerk's Summary, and the balance of cash handed over to the Manager.

**Disputes.** In connection with the payment of wages, the most difficult and troublesome incidents are the disputes which arise,

for it is practically impossible to avoid these altogether. A special officer, with efficient knowledge of the docks and a tactful manner, is detailed to deal with these cases at a separate window, away from the pay huts. It is obvious that the pay clerk cannot afford the time to go minutely into every case. When, therefore, a docker protests against the amount which is tendered at the pay window, and the clerk is unable in a few words to convince him that it is right (e.g. by suggesting that he might have had a "sub" which he has forgotten, or by asking what time has been worked and making a mental calculation), he gives the man a note to the Dispute Window. This simply gives the man's tally number and states the amount which the man has actually received, and which in no wise prejudices his claim to a further amount if due to him. The Disputes Clerk then investigates the case, first, by reference to the employers' actual wage sheets, to make sure that an error has not been made in transferring the amount to the pay sheet. If he is satisfied that the man has some cause for complaint, he will try to settle the matter by telephoning to the firm concerned. Failing that, he gives the man a Dispute Note to take to his firm, which usually has the desired effect. The timekeeper may convince the man that the amount paid is correct, failing which he either pays the man the balance direct, or authorizes the Ministry of Labour to do so. In any case, the timekeeper is required to fill up and return the Dispute Note, so that the circumstances can be recorded and, if necessary, representations made to the particular firm to ensure greater accuracy. Occasionally, when a man has asked for a less amount than that booked to him, he will come back and claim the balance, alleging that he made a mistake in the first instance. In these cases, the attention of the firm's timekeeper is drawn to the circumstances, and a special authority is obtained before paying the further amount.

**Insurance.** The next operation to be considered is that of stamping the insurance cards. It is impossible for this to be done on Saturday at the time of the payment of wages, and it is, therefore, carried out on the following Monday. The exchange of cards and tallies takes place, more or less, every day throughout the week. A man is unable to get a job at the docks and hears of some employment outside—possibly in the building trade, or in a grain warehouse; he, therefore, deposits his tally at the Clearing House and demands

his insurance cards. If he has already worked at the docks during the current week, he brings a note from his timekeeper to that effect, and his card is stamped to date on withdrawal, a record being kept of this fact at the area. If the man has not already worked within the scheme during the current week, he is, on application, given his card unstamped, and that fact is also recorded. In the course of a day or two, the man may return with his stamped card, and the process of exchange is reversed, a note being again made on the form. The objects of keeping these records are to adjust the insurance deduction on the pay sheets for the ensuing Saturday ; to ensure the accuracy of the stamping of cards ; and to afford statistical data as to the extent of " in-and-out " working.

**Accounting Arrangements.** Reference has already been made to the Wages Summary Sheets. These Summaries are prepared by the firms and are submitted each Friday along with the wages sheets. They contain a return of the number of men employed, and the gross wages payable at each area and at all areas. Most firms send in one such summary, but some of the larger firms, whose businesses are worked in departments, return a Summary for each department. The Accountant-Manager has the custody of these Summaries and, during the clearance of wages sheets on Friday nights, every separate item is checked and, if necessary, altered to agree with the wages sheets as they appear after the arithmetical scrutiny, which is made as a preliminary to the clearance of wages sheets.

When the checking of the Wages Summary Sheets has been completed, the Accountant-Manager proceeds to make up the Wages Sheet Summary, which is simply a summary of the firm's Summaries, and contains the number of men to be paid, and the gross wages payable at each area and at all areas in respect of each firm and all firms. A wage sheet is, in effect, a mandate by the firm authorizing the Ministry of Labour to pay the wages detailed therein. From time to time, however, small amounts are paid by the Ministry of Labour as wages on the special written authority of a firm, and are generally in rectification of clerical errors on the part of a timekeeper or compiler of a wage sheet. A special return of such items is made to the Accountant-Manager by the Manager paying them.

On Saturday morning the Accountant-Manager satisfies himself that each firm has paid in sufficient money to meet the obligations

on that day in respect of wages and insurance contributions. If, on examination, any firm appears to have paid in too little, it is at once communicated with, and a further payment is obtained from it. The Ministry of Labour regulations require that each firm, on entering the Scheme, shall pay, as a permanent insurance deposit, an amount equal to the value of the complete contributions likely to be payable by such firms in one week when their employments are at their maximum.

The financial week of the Scheme ends on Monday, and on Tuesday each Manager renders to the Accountant-Manager a Cash Statement showing, on the debit side—

(1) The sum received by him on Saturday for the payment of wages ;

(2) Fines exacted in respect of tallies lost by dockers supported by a schedule ;

and on the credit side—

(1) The amount of wages paid ;

(2) The balance returned to the Central Clearing House ;

(3) The amount held by the Manager on account of unclaimed wages.

The employers participating in the scheme contribute to the Ministry of Labour the cost of the scheme, which might be regarded as their proportion of the expenditure of the Clearing House.

The scheme is now well established, and meets with the approval of both employers and workmen. Indeed, the latter so much appreciate it, that they have declared that if the system of pay were abolished they would " strike " to get it back.

## OTHER SCHEMES IN RELATION TO INDUSTRY.

The illustration of the Liverpool Dock Clearing House Scheme has been given in detail, because it has received most attention at the hands of those interested in social administration. It is not, however, the only scheme. At Cardiff there is in operation a scheme which has reference to the ship repairers. It has been in existence for some years and is still working with complete acceptance. It is probable that a similar scheme will be launched at Swansea for dock and fuel workers as the men there want it. What is required throughout the country is the personal contact between employer and worker. Many of the industrial abuses could then be adjusted amicably and for that reason alone such schemes as well as Trade Boards are to be welcomed.

## TRADE BOARDS.

The first suggestion of trade boards is to be found in John Stuart Mill's *Political Economy*, in his chapter "On Popular Remedies for Low Wages." Trade boards are also referred to in the Webbs' *History of Trade Unionism*. The proposal was for what were then called "Boards of Trade to Settle Wages." Mill laid down the doctrine that cheapness of goods is not desirable when the cause is that labour is ill remunerated. The first legislation was in the colony of Victoria, in 1896, following upon a discussion of Sir Charles Dilke with Mr. Deakin and the latter's report published in 1893. In 1898, Sir Charles Dilke introduced a Bill which had been drafted by Mr. Arthur Llewelyn Davies.

**The Trade Boards Acts, 1909-1918.** The Trades Board Act, 1909, was passed as the result of the Report of the Select Committee on Home Work. The committee was appointed on 11th February, 1908, to consider and report upon the conditions of labour in trades in which homework is prevalent; and the proposals which have been made for the remedying of existing abuses, including those for the establishment of wages boards and the licensing of work places. The Sweated Industries Bill was also referred to the committee which reported in July, 1908.

**Objects of Trade Boards.** The objects of trade boards are to remedy existing abuses in regard to sweated industries. Sweating is understood to mean that work is paid for at a rate which, in the conditions under which many of the workpeople do it, yields to them an income which is quite insufficient to enable an adult person to obtain anything like proper food, clothing, and house accommodation.

Although ill-paid labour may enrich particular employers, it is inconsistent with a sound system of national economy. It makes for inefficient labour and entails in the end heavy burdens upon the taxpayer. It involves a restricted demand for commodities in the home market with a relative diminution of output. No less important are the indirect results of sweating, such as the degradation of the worker, the waste of life, and the physical deterioration of the worker and the family who, in insanitary dwellings, are often the cause of infection. Nor must the result of the waste of education be overlooked; a waste which is sometimes evident in the individual and in the nation. There are many

reasons why earnings are small in the trades covered by the term "sweated industries." The work requires little or no training. It is in great demand by those who cannot work regularly in factories, who dislike domestic service or regular work, or who desire to augment the family income. As it is paid by piece rates, it is in demand for those who are slow by reason of age, health, and inexperience, and find it easy to obtain this work. The supply of labour is, therefore, large and elastic. A large proportion of the home workers are in competition with machinery which can produce the articles rapidly and therefore cheaply. Unless the price is low, it would be possible for the consumer to buy the materials and make the articles, e.g. baby linen, ladies' blouses and underclothing, at their own leisure. Another factor is the competition of foreign-made articles, e.g. the hook-and-eye trade, etc. The workers are usually women, and the wages are lower than those of men's, for the workers are unorganized. It is one of the weaknesses of the trade union movement that, while it has safeguarded the better-paid worker, it has left many of the underpaid trades virtually unprotected. Another reason for this condition has been the intervention of the middleman, and the competition among employers, which has left the home worker with the residue of the proceeds of the industry. The imposition of factory and workshop regulations has encouraged employers to engage home workers in order to evade the operation of the Factory and Workshop Acts.

**Administration.** The Trade Boards Acts are administered by the Ministry of Labour, whose officers have power to enter workshops and inspect wages sheets, and have the same power to take and conduct proceedings as is possessed by Factory Inspectors.

The Acts applied originally to all workers in the following trades, viz., ready-made, and wholesale bespoke tailoring, and any other branch in which the Ministry of Labour consider that the system of manufacture is generally similar to that prevailing in the wholesale tailoring trade; the making of boxes, or parts thereof, made wholly or partially of paper, cardboard, chip or similar material; machine-made lace and net-finishing, and mending or darning operations of lace-curtain finishing; hammered and dollied or tommied chain-making.

**Extension of Act.** The Ministry of Labour was empowered to make a Provisional Order applying this Act to any specified

trade to which it does not at that time apply if they are satisfied that—

The rate of wages in any branch of the trade is exceptionally low, as compared with other employments; and the other circumstances of the trade are such as render the application of this Act to the trade expedient.

In accordance with this provision the Trade Boards Provisional Orders Confirmation Acts, 1913, extended the application of this Act to the following trades, viz., sugar confectionery and fruit preserving, shirt-making, hollow-ware making (including boxes and canisters), linen and cotton embroidery.

By the Trade Boards Act, 1918, the Trades Boards Act, 1909, shall apply to any other trades to which it has been applied by a provisional order or by a special order made under the Act by the Ministry of Labour.

The Minister of Labour may make a special order applying the principal Act to any specified trade to which it does not apply, if he is of opinion that no adequate machinery exists for the effective regulation of wages throughout the trade, and that accordingly, having regard to the rates of wages prevailing in the trade, or any part of the trade, it is expedient that the principal Act should apply to that trade.

If at any time the Minister is of opinion that the conditions of employment in any trade to which the principal Act applies have been so altered as to render the application of the principal Act to the trade unnecessary, he may make a special order withdrawing that trade from the operation of the Act.

If the Minister is of opinion that it is desirable to alter or amend the description of any of the trades specified in the Schedule to the principal Act, he may make a special order altering or amending the said Schedule accordingly.

Every Special Order shall without confirmation by Parliament have effect as if enacted in this Act, and may be varied or revoked by a subsequent Special Order.

**Constitution of Trade Boards.** Trade boards are constituted in accordance with regulations made under these Acts, for any trade to which this Act applies. They consist of an equal number of representatives of employers and workers, and members appointed by the Ministry of Labour, being less in number than the members representing employers and workers. Women are eligible as appointed and representative members.

**Powers of Trade Boards.** Since the passing of the Trade Boards Act, 1918, a trade board has power to fix a general minimum time-rate of wages for time-work in their trade. It may also fix—

(a) A general minimum piece-rate of wages for piece-work.

(b) A guaranteed time rate, to apply in the case of workers employed on piece work for the purpose of securing to such workers a minimum rate of remuneration on a time-work basis.

(c) An overtime rate (whether a time-rate or a piece-rate) to apply in substitution for the minimum rate, which would otherwise be applicable, in respect of hours worked by a worker in any week or on any day in excess of the number of hours declared by the trade board to be the normal number of hours of work per week or for that day in the trade.

Any of the minimum rates may be fixed universally to the trade, or to any special process in the work of the trade, or to any special area, or to any class of workers in the trade, or to any class of workers in any special process or in any special area.

A Confirming Order is issued by the Minister of Labour within one month from the date on which the notification from the trade board is received. As soon as possible after making an Order, the Minister shall send notification thereof to the trade board. The trade boards are empowered to announce to employers the making of an Order affecting their trade and to furnish them with particulars of the contents thereof. Such Order is obligatory on all employers and employees.

Any minimum rate or the cancellation or variation of any such rate shall become effective as from the date specified in the order.

A trade board may, if they think fit, delegate certain powers to a committee consisting of such number of persons, being members of the board, as the board may think fit, so, however, that the members of the board on the committee representing employers and workers shall be in equal proportions.

**District Trade Committees.** A trade board may establish District Trade Committees, consisting partly of members of the trade board and partly of persons not being members of the trade board but representing employers or workers engaged in the trade and constituted in accordance with regulations made by the Ministry of Labour and acting for such area as the trade board may determine.

A trade board may refer to a District Trade Committee for their report and recommendation any matter which they think expedient, and may also delegate to the District Trade Committee any of their powers and duties other than the duty to fix rates. It shall be the duty of a District Trade Committee to recommend to the trade boards such rates.

The trade boards are required to consider matters referred to them by Government Departments, and to make recommendations to any Government Department with reference to the industrial conditions of the trade.

Officers are appointed by the Ministry of Labour, and their duties include the investigation of complaints and the securing of the due observance of the Act. Such officers shall act under the direction of any trade board of the Ministry of Labour so determined.

**Penalties.** The penalty for not paying minimum rates is, on summary conviction, a fine not exceeding twenty pounds and five pounds for each day after conviction.

For refusal to comply with the lawful requirements of officers, a fine not exceeding five pounds in respect of each offence. For a false list, a fine not exceeding twenty pounds or three months imprisonment with or without hard labour. By the Trade Boards Act, 1918, an agent of an employer may be proceeded against as if he were the employer. Complaints should be reported to the Secretary, Trade Boards Office, 7-11 Old Bailey, London, E.C.2.

**Advisory Council.** A joint conference of trade union representatives in 1921 decided to establish a National Trade Boards Advisory Council. The objects of the council are—

To secure a common trade union policy regarding the methods adopted by the Government in establishing trade boards ;

To act in consultation with the General Council of the Trade Union Congress on all questions relating to trade boards which are of general interest to the unions affiliated to the congress ;

To make when necessary joint representations to the Government on behalf of the trade unions represented on trade boards ; to secure joint consultation between the unions represented on trade boards on all questions relating to trade board regulations dealing with wages, hours, conditions of employment or other occupational interests of the members of affiliated societies, and to make joint recommendations on these questions as and when necessary.

**Report of Special Committee.** The Special Committee appointed to make recommendations with respect to the working of the trade boards and the administration of the Trade Boards Acts sent its report to the Ministry of Labour in the spring of 1921. The committee was constituted by the Minister of Labour as a result of a deputation from the trade boards of Great Britain on 20th October, 1920. That deputation expressed recognition of the good work the boards have been able to accomplish, and with a view to extending the efficiency of that work asked for the committee to be set up.

As there are already 64 trade boards, which control the wage rates paid to approximately 3,000,000 workers in various industries, and as it is understood to be the official intention to bring within the scope of the Trade Boards Acts every branch of industry or commerce not governed by a Whitley Council, the findings of the committee are of considerable importance from the industrial standpoint. On the value of trade boards the committee are very explicit. "We desire," they state, "to record our opinion that trade boards have been a potent means for securing and maintaining industrial harmony in the trades for which they have been established. We consider that the almost entire absence of industrial unrest in trades covered by trade boards, even in the difficult periods during and after the war of extreme and rapid fluctuations of money values, is a great tribute to the power of a trade board to settle rates of wages on a firm basis."

**Report of Viscount Cave's Committee.** In September, 1921, it was announced that the Minister of Labour had appointed a Special Committee, under the chairmanship of Viscount Cave, "to inquire into the working and effects of the Trade Boards Acts and to report what changes, if any, are required." The Report of the Committee was issued on the 22nd April, 1922.

The Committee point out that unfortunately for the trade board system, many of the increases in wages settled by the trade boards came into operation at a moment when trade was failing, and in some instances the additional burden so imposed on traders made it difficult for those traders to adjust themselves to the altered conditions. Within certain limits, an increase in the cost of production can be "passed on" to the consumer, with the result that the general level of prices is raised and the consumer (including the worker) suffers accordingly; but in time

a point is reached where the consumer ceases to buy, and then follow decline of trade, the closing of workshops, short time, and the discharge of workers.

This result is more quickly reached where the trade is subject to foreign competition and prices are regulated, not by the home market, but by world conditions ; but where this is not the case increase in cost must prejudicially affect production and distribution, and so must be injurious both to employers and to workers. As regards workers, the blow is apt to fall first on the slow or less efficient workers, but the consequence of the rigid regulation of wages in a falling market and the consequent " lag " in the readjustment of wage conditions are not confined to those persons, but extend to the unskilled and part-skilled worker throughout the industries affected.

On the other hand, the Committee think it is established that the system has had beneficial effects. Speaking generally, trade boards have succeeded in abolishing the grosser forms of underpayment and regularizing wages conditions in trades brought under the Acts. Moreover, in establishing statutory minima, trade boards have afforded protection to the good employer, able and willing to pay a reasonable rate of remuneration to his workers, from unscrupulous competitors, prepared to take unfair advantage of the economic necessities of their workers.

The Committee are also satisfied that the operation of the system has contributed on the whole to the improvement of industrial relations, the machinery having brought the two sides together " round the table " and so enabled each side to understand something of the other's point of view. Finally, the opinion is expressed that trade boards have led to a strengthening in organization on both sides.

The total repeal of the Acts was proposed by very few of the associations, representing employers, and the Committee think that such a repeal would not be in the public interest. They cannot concur in the suggestion made that legislation providing for a national minimum wage to be payable in all trades alike should be substituted for the boards. Where minimum rates are required they should be determined with reference to the circumstances of each trade affected and not on a national basis.

The Committee add : " But while we are of opinion that the trade board system should be retained, we are convinced that the time has come when a definite decision should be taken by

Parliament as to the conditions under which trade boards should be set up, and as to their powers and functions when established. As matters now stand, no clear guidance on either point is given by the Acts."

The recommendations of the Committee, which are of a far-reaching character, include the following—

That the power of the Minister of Labour to apply the Acts to a trade be confined to cases where he is satisfied that the rate of wages prevailing in the trade or any branch of the trade is unduly low as compared with those in other employments ; and that no adequate machinery exists for the effective regulation of wages throughout the trade ;

That it be the duty of a trade board to fix a general minimum time-rate for the general body of workers in the trade, such rate to be fixed with reference to the lowest grade of ordinary workers in the trade ; and, if authorized, to fix a piecework basis time-rate, a guaranteed time-rate for piece-workers, minimum piece rates for out or home workers engaged in piece-work in the trade, and overtime rates based upon the above rates ;

That as regards any manufacturing or productive trade to which the Acts have been or may be applied, the Minister of Labour be authorized, after consultation with the trade board for such trade, to set up for any area a district committee for the regulation of such trade in the area, and that every such committee have the powers conferred by the Acts upon district committees ;

That the rates fixed by trade boards be subject to confirmation by the Minister as at present, but that the Minister be authorized, before confirming any rate or referring it back to a trade board for reconsideration, to refer the matter to the Industrial Court for its consideration and advice, or to cause a public inquiry to be held into the matter ;

That trade boards be authorized in fixing overtime rates to make the payment of a daily overtime rate conditional on the completion by the workers of a specified number of hours' work in the week, subject to such work being provided by the employer ; and also to fix such rates by reference to a different number of hours' work in different districts ;

That, when on investigation, it is found that an employer is not complying with a compulsory order, the employer be warned forthwith of the non-compliance. That, when a magistrate

convicts an employer of an offence against the Acts it be the duty of the magistrate to order payment of all arrears incurred within six months before the commencement of the proceedings, but without prejudice to his power to order payment of arrears for a longer period ;

That the Trade Board Acts be repealed, and a Consolidating Act containing the necessary amendments be passed.

### THE CORN PRODUCTION ACTS, 1917 and 1920.

One of the consequences of the War was the necessity for a development of the agricultural industry. In return for a "protective" policy in favour of the home farmer it was considered essential that the agricultural labourer whose economic condition had become a byword should receive some consideration. The experiences under the Trade Boards Act were sufficient justification for the extension of the principle to what must always be the key industry of the country.

**Objects.** Among the objects of the Acts was the establishment by the Ministry of Agriculture and Fisheries of an Agricultural Wages Board for England and Wales, for fixing the minimum rates of wages for "workmen" employed in agriculture, that is to say rates of wages which, in the opinion of the Minister, are the lowest which ought to be paid to "workmen" in the district for which the rates are fixed.

Workmen include boys, women, and girls, and employment in agriculture includes work not only on farms, but also on osier land, woodland, orchards, market gardens, and nursery grounds.

**Constitution of the Wages Board.** The Wages Board consisted of three classes of persons, viz.—

Appointed members directly appointed by the Ministry of Agriculture and Fisheries and not necessarily engaged in agriculture. The members representing employers, and the members representing workers, who must be equal in number. Women are eligible as members. The appointed members must not be greater in number than one-quarter of the total number of members of the Wages Board. The number of members is fixed by regulations.

**Duties of Wages Board.** The duties of the Wages Board were to fix minimum rates of wages for time-work for all classes of workers. In the case of able-bodied men, the rates must be such as would secure wages which in the opinion of the Wages Board

are equivalent to a payment for an ordinary day's work at a rate of at least 25s. a week. The age of 18 was adopted as the age at which the minimum rate for men becomes payable.

The Wages Board might, if they thought it necessary or expedient, also fix minimum rates of wages for piece-work.

These rates, whether time-work or piece-work might be fixed to apply universally to workers employed in agriculture ; differently for different districts ; for different classes of workers ; or for different kinds and conditions of employment.

The duties of the Wages Board were also to define certain payments in kind which may be reckoned in part payment of such wages. The Minister issued an Order defining the particular "benefits and advantages" which may be so reckoned. The Order named the maximum amount (three shillings) which may, under any circumstances, be deducted from the cash wage in respect of a cottage provided by an employer.

District Wages Committees were established by Wages Board, who may refer to them any matter which they think expedient.

### **THE CORN PRODUCTION ACTS (REPEAL) ACT, 1921.**

With dramatic suddenness the Minister of Agriculture and Fisheries announced in June, 1921, that the Cabinet had decided to repeal the Corn Production Acts, 1917 and 1920, and to abolish the Agricultural Wages Board which was established under the Act of 1917. It was considered that as a permanent institution a Wages Board was unsuitable to the agricultural industry, and the decontrol of agriculture was considered a favourable opportunity to abolish the Board.

**Conciliation Committees.** In order to meet the criticism which was raised by the action of the Government, it was decided to appoint local Joint Conciliation Committees on a voluntary basis by the Act of 1921. The District Wages Committees described above are continued as Conciliation Committees for a period of two years from the 1st October, 1921, or until the formation of the Joint Conciliation Committee, with the right to appoint independent chairmen. Orders made by the Minister upon awards made by the committees are enforceable.

**Labour Branch of the Ministry.** With a view to helping in the formation of Conciliation Committees, a Labour Branch has been set up at the Ministry of Agriculture and Fisheries.

## CHAPTER XXVIII

### PUBLIC HEALTH

#### EARLY FACTORY ACTS.

PUBLIC Health administration is of comparative recent growth. Modern movements may be said to date from the efforts of Dr. Percival, at Manchester, which resulted in the passing of an Act for the Preservation of the Health and Morals of Parish Apprentices and others employed in cotton and other mills. As late as the first quarter of the nineteenth century public provision of a sanitary or public health description was virtually nil. A Quarantine Act was passed in 1802 which contemplated that the Privy Council would keep watch over the risk of transmarine infection, and would take any necessary steps in the event of danger arising. But lulled by the absence of destructive visitations of infection, no progress had been made either in sanitation or in general public health administration.

#### BOARD OF HEALTH.

Upon this condition of affairs supervened, in 1831, the first of an alarming series of visitations of Asiatic cholera. The Quarantine Act was immediately made applicable ; a medical commission was sent to Russia to investigate ; and soon after it had reported an *ad hoc* consultative Board of Health was appointed consisting partly of officials and partly of prominent medical men. This body drew up and recommended certain regulations which were promptly made. Regulations were also made in 1832 under the Quarantine Act, 1802, requiring reports to be made to Local Boards by medical practitioners, and empowering Local Boards to secure the establishment of hospitals and the removal of nuisances at the expense of the poor rate ; but as the validity of these regulations was impugned, definite emergency legislation to the same effect was carried early in the following year.

#### REGISTRAR-GENERAL APPOINTED.

In 1834 the office of Registrar-General was created, together with the system of registration of births, marriages, and deaths ;

and the foundations were thus laid of an important intelligence service in the future war with disease.

### ACTION BY POOR LAW COMMISSIONERS.

In 1838 the Poor Law Commissioners, constituted under the Poor Law Amendment Act of 1834, inspired by Edwin Chadwick, took up the question of the further legislation which was requisite to give authority for the new items of expenditure shown by experience to be necessary. In a memorable letter to the Home Secretary the Commissioners urged the importance of sanitary or preventive health provision from the economic point of view. They wrote : " The most prominent and pressing of the first class of charges for which some provision appears to be required are for the means of averting the charges upon the poor rates which are caused by nuisances by which contagion is generated and persons reduced to destitution. In general, all epidemics and all infectious diseases are attended with charges, immediate and ultimate, on the poor rates. Labourers are suddenly thrown by infectious disease into a state of destitution for which immediate relief must be given. In the case of death the widow and children are thrown as paupers on the parish. The amount of burthens thus produced is frequently so great as to render it good economy on the part of the administrators of the Poor Laws to incur the charges for preventing the evils where they are ascribable to physical causes, which there are no other means of removing."

From this particular angle, therefore, of interest and tradition, the Poor Law Commissioners sought in 1838 legislative authority to regularize the expenditure upon sanitation, which was no doubt already being incurred by guardians. To the letter quoted above were annexed reports by their medical inspectors relative to the sanitary condition of London. The whole document immediately excited public interest.

**Medical Inquiry.** In the following year the House of Lords moved an instruction to the Commissioners to undertake as regards the whole of England and Wales a medical inquiry similar to that upon which the reports regarding London had been based ; and a further instruction was moved extending the scope of this inquiry to Scotland. The inquiry was accordingly undertaken ; and in 1842 the report was presented, together with a closely-reasoned and convincing analysis of the manner

in which defective sanitary conditions contribute to death, destitution, and immorality, and with equally convincing recommendations for reform.

### EARLY PUBLIC HEALTH ACTS.

The force of this report could not be withstood ; but in order to fortify themselves for the necessary far-reaching legislation which the case required, the Government referred the matter to a Royal Commission on the Health of Towns and Populous Places, which was appointed in 1843. This Commission reported in 1844 and 1845 in terms which fully supported and confirmed the findings and recommendations of the Poor Law Commissioners. Legislation was accordingly decided upon ; but the Government Bill suffered delays and encountered objections. In the meantime, however, two temporary Acts were passed, viz., the Nuisance Removal and Diseases Prevention Acts, 1846, to deal with the removal of nuisances and the prevention of epidemics. The original Bill, which relied mainly on the " clauses consolidation " expedient, was dropped. This was a characteristic feature of the legislation of the eighteen-forties. It enabled progressive towns by the passing of a resolution, usually with a two-thirds majority, to adopt certain Acts which were valuable in promoting the health and well-being of the community. Such Acts included the Baths and Washhouses Act, 1846 ; the Police Clauses Act, 1847 ; Towns Improvement Clauses Act, 1847 ; and the Land Clauses Consolidation Act, 1845. A new Government Bill was subsequently introduced and became the Public Health Act, 1848.

This Act (which was limited in operation to a term of five years) established a new central authority, a General Board of Health. As regards actual sanitary provision, it instituted a system whereby local Justices might have summary jurisdiction over health nuisances on complaint by specially authorized local authorities. Otherwise, it contented itself with prescribing a simpler procedure whereby certain enabling powers, previously only obtainable by private Act, could be secured by authorities desiring to have them, or could be conferred by the General Board upon authorities for areas with a high death rate, whether they wished them or not. There was also provision whereby, in case of a serious epidemic, the General Board could assume, on an order made by the Privy Council, special powers of direction and confer special powers upon local authorities. This

Act did not apply to London, which presented a totally different problem ; but legislation was passed at the same time which effected a very necessary consolidation of the several Commissions of Sewers so as to constitute a metropolitan sanitary authority.

An acute controversy raged over the renewal of the Public Health Act, 1848, upon the expiration of the original five years in 1854, and though it was proposed to place the General Board of Health under the control of a Minister responsible to Parliament the Bill was defeated. A new Act was passed renewing the Public Health Act on an annual basis, but a new Board took the place of the old. The new Board was a Board in name only, consisting of a President holding ministerial office, and other Ministers.

This was a decided victory for the "no-central interference" party and their policy. The first president of the new Board was one of the opponents of the old. But the new Board, having been annually renewed till 1858, was then disbanded. Its medical functions, together with its medical staff, were transferred to the Privy Council by the Public Health Act, 1858, while its other functions were transferred by the Local Government Act, 1858, to the Home Secretary, who administered them through a separate department, the Local Government Act Office. In the same year the Medical Act, the charter of the medical profession, was passed.

**Medical Department Created.** In breaking up the General Board the Public Health Act of 1858 had in effect created a Medical Department under the Privy Council, and while this department had no executive powers, and only acquired a permanent footing by a narrow majority in the Commons, its investigations and reports exposed considerable deficiencies in the existing character of public health legislation. The result was that in 1866, when cholera was again very prevalent, an important Sanitary Act was passed. This Act largely extended the sanitary subject-matter and purview of the powers of local authorities, which were now enlarged to cover, *inter alia*, over-crowding and the sanitary control of tenements and workshops. It also comprised an important provision that certain functions should be statutory duties of the local authority, enforceable on complaint by a Secretary of State to the Queen's Bench Division of the High Court. But in other respects it did not alter the disposition of powers or the general administrative and constitutional position.

**Further Epidemics.** Once again legislative reform received

impetus from the visitation of alarming epidemics. An outbreak of smallpox, and the westward movement of Asiatic cholera in 1869-71 threatening a fifth invasion of this country, added extraneous weight to the proposals of the Royal Commission, which reported in 1871. Its recommendations were directed mainly to securing the consolidation and uniformity of the system of local government in matters of health, so that every area should have one authority, and one only, for all public health purposes. It proposed the re-creation of a central authority by the concentration and consolidation of the supervisory functions of central government, now dispersed through several departments. It was inevitable, however, since the problem, though primarily concerned with the public health, had been approached from the standpoint of facilitating local government, that the scope of the necessary legislation should be enlarged to cover the whole subject of local government; and the Bill actually prepared was accordingly a Local Government Bill framed upon most comprehensive lines. But it was not proceeded with; and a new short Bill comprising that portion of the previous measure which provided for the creation of a Local Government Board became law in 1871.

The Public Health Act of 1872 was subsequently passed and instituted the system of Medical Officers of Health under an arrangement whereby half the cost was to be defrayed by the Exchequer on condition of the appointments to these offices being made under the Local Government Board's regulations and with its approval. The Public Health Act, 1875, consolidated the previous Acts and with its numerous amendments still remains the principal legislation on the subject.

**Revision of Control.** It will have been seen that from early days the Privy Council took a special interest in health matters, and that for a period it could claim to be the only central health authority. The Local Government Act of 1871 did not, however, transfer to the Local Government Board all the health or medical functions of the Privy Council. The Medical Act of 1858, establishing the Medical Register and the General Medical Council, and the subsequent legislation for the regulation of the medical profession related the General Medical Council to the Privy Council. Similarly, the functions of the statutory Pharmaceutical Society of Great Britain in the control of poisons are exercised under the general supervision of the Privy Council. And lastly,

the Privy Council remained until 1919 in a similar supervisory relation to the Central Midwives Board, charged with duties in connection with the training and professional conduct of midwives.

The Home Office suffered in the course of its development a very considerable accretion of health or medical functions, all of which at the end of the period under review were highly centralized. No less than seven separate staffs are still employed by or under the Home Office for the purpose of coping with industrial diseases, under the Factory and Workshops Acts, inspection of mines and quarries, prisons, reformatories and industrial schools, and matters respecting the Aliens Act, the Inebriates Act, and the Workmen's Compensation Act.

**Medical Inspection of School Children.** The Board of Education acquired powers under the Education (Administrative Provisions) Act, 1907, to make provision through local education authorities for the medical inspection of children, and by the Local Education Authority (Medical Treatment) Act, 1909, obtained power to recover the cost of medical treatment. This provision, though prompted by the important bearing upon education of the health of the educational subject, could not fail to develop into a health function proper, as concerned with the general health of a particular age-group of the population at large. Though efficiently administered it contributed to the subsequent complications, and rendered more difficult the task of unification of health functions relating to other sections of the population.

Finally, reference must be made to the Sale of Food and Drugs Acts, 1875 to 1899, the administration of which is shared by the Ministry of Health and the Ministry of Agriculture and Fisheries ; to the functions of the latter Ministry under the Diseases of Animals Acts, 1894 to 1911 ; and to the functions of the Board of Trade in respect to the sanitation of shipping.

**Disease and Poverty.** The truth that disease creates poverty had been recognized and enunciated many years before. It formed, as has been seen, the basis of the Poor Law health activity of 1838. The complementary truth that poverty creates disease, thus completing the vicious circle, was a more recent discovery, and owed its acceptance to the development of interest in general social reform rather than to any activities primarily concerned with health itself.

The outstanding landmark of this development was the Reports of the Poor Law Commission of 1909. While the Majority

and Minority Reports diagnosed different causes and recommended different remedies, the whole Commission united in a strong condemnation of the operation of the Poor Law, and advocated almost unanimously a clean sweep of Poor Law principles. The Minority Report, in particular, excited much public interest; it became clear that the whole province of social reform relating to poverty, its causes and effects, needed to be dealt with on principles wholly different from those of the Poor Law.

### NATIONAL HEALTH INSURANCE.

It was natural, therefore, that the National Health Insurance Act, 1911, should turn definitely and finally away from the Poor Law principle, and, in its new endeavour to break the vicious circle, should take the great voluntary thrift organizations as a model for a new system. Its objects were, first, to provide an adequate and ubiquitous medical service which could and would be freely resorted to by the wage-earner, and which might thus protect him so far as possible from disability due to disease; and secondly, in the event of his becoming incapable of work owing to sickness, to provide a money allowance (during such periods of incapacity) which would render unnecessary any recourse to the Poor Law. The necessary funds were to be raised partly by compulsory contributions from worker and employer, and partly from the Exchequer; and were, subject to central supervision, to be administered by voluntary associations of the workers themselves, the approved societies, organized on the lines of the friendly societies, etc. In the course of the passage of the Bill through Parliament, pressure from the medical profession led to the administration of the medical service under the scheme being entrusted to a new series of bodies locally organized, the insurance committees, which, with a majority of approved society representatives, also contained a carefully apportioned representation of other interests and specialist experience. Approved societies were thus left free to develop on non-territorial lines, their duties being to administer, with or without any local agencies, the "cash" provisions of the scheme. To the insurance committees, as a new series of local authorities (without any power of raising money by rates) for each county and each county borough, was entrusted the administration of all the health provisions of a medical nature.

The objects of the National Insurance Acts are "to provide for insurance against loss of health, and for the prevention and cure of sickness, and for insurance against unemployment, and for purposes incidental thereto." The Acts are now divided into two classes, Health Insurance and Unemployment Insurance. The latter is dealt with in Chapter XXVI.

The principles of the National Health Insurance Acts are the protection of the health of the individual and community, and the provision of a weekly sum to safeguard the home during sickness. The Acts are compulsory and universal in their application to the working classes. They are contributory by employers, workpeople, and the State, and are worked principally through the approved societies.

The Acts are administered under the supervision of the Ministry of Health to which the powers and duties of the National Health Insurance Commission were transferred on 1st July, 1919. The Ministry is assisted by Consultative Councils, described in Chapter IV. The finances are administered by H.M. Treasury.

**Insured Persons.** Insured persons are all persons (subject to certain exceptions) 16 years of age and upwards and under 70 who are engaged in non-manual work at a rate of remuneration not exceeding £250 per annum in the United Kingdom—

(a) Under any contract of service or apprenticeship : written or oral ; whether expressed or implied.

(b) Whether paid by employer or some other person ; and whether under one or more employers.

(c) Whether paid by time or by the piece, or partly by time and partly by piece, or otherwise ; or, except in the case of a contract of apprenticeship, without money payment.

All persons employed by manual labour are insurable no matter what their rate of remuneration may be. The following are also insurable :—

(a) Persons in employment under contract as aforesaid as master or member of crew of any ship—registered in the United Kingdom ; or of any other British ship or vessel of which the owner or managing owner resides or has his principal place of business in the United Kingdom.

(b) A person employed as an out-worker, unless excluded by special order.

(c) A person employed in plying for hire with any vessel or vehicle, the use of which is obtained from the owner under any

contract of bailment by payment of fixed sum, share of earnings, or otherwise.

(d) Any person employed under any local or public authority, unless excluded by special order.

**Voluntary Contributors.** Voluntary contributors as from the 1st July, 1918, are all persons—

(a) Who, having been employed within the meaning of Part I of the principal Act and insured as employed contributors for a period of 104 weeks or upwards, have ceased to be employed contributors and who give notice that they desire to become voluntary contributors.

(b) Who were engaged in any excepted employment in respect of whom the Ministry of Health is satisfied that in the special circumstances they should be allowed to be voluntary contributors,

(c) Who were insured as voluntary contributors on the 1st January, 1918, or who, having at any previous time been insured as voluntary contributors, ceased to be so insured by reason of becoming employed contributors and were insured persons at that date, and have in either case since that date continued to be insured persons.

**Excepted Persons.** Certain classes of persons are excepted from the provisions of the Acts. These include—

(a) Apprentices without money payment ;

(b) Persons learning agriculture without money payment ;

(c) Persons fully maintained by employer without money payment ;

(d) Wives employed by husbands, and *vice versa* ;

(e) Teachers within the provisions of the Superannuation Acts ;

(f) Fishing crews sharing profits without any other remuneration ;

(g) Civil servants ;

(h) Servants of local authorities and railway companies where the Minister of Health certifies that the service secures at least equal cash benefits to the Acts.

**Exempt Persons.** Exempt persons are persons who come within the provisions of the Act but prove that they are either—

(a) In receipt of any pension or income of the annual value of £26 or upwards not dependent upon their personal exertions ; or

(b) Ordinarily and mainly dependent for their livelihood upon some other person ; or

(c) Ordinarily and mainly dependent for their livelihood on the earnings derived by them from an occupation which is not employment within the meaning of this part of the Act ; or

(d) As from the 1st July, 1918, persons intermittently employed ; or

(e) Engaged in employment which, but for the provisions of the National Health Insurance Act, 1919, would have been excepted from Part I of the National Insurance Act, 1911, and who have not, since the 30th June, 1919, been engaged in any employment which would not have been so exempted.

Certificates of exemption are obtained from the Ministry of Health.

There is an important difference between "excepted" and "exempted" persons. In the case of exempted persons the employer must still pay his contribution. There is no contribution for excepted persons.

**Contributions.** The contributions are paid in the first instance by the employer who stamps a card and then deducts the employed person's share of the contribution from the wages. The rates per week as from 5th July, 1920, are in the case of ordinary contributors : employer, 5d. ; contributors : men, 5d. ; women, 4d. ; a total of 10d. for men and 9d. for women.

In the case of foreign-going seamen and women the rates per week are : employer, 3d. ; contributors : men, 8d. ; women, 7d.

In the case of employed contributors of either sex, 18 years and over, whose remuneration does not include the provision of board and lodging by their employer, and the rate of whose remuneration does not exceed 4s. a working day, the following rates apply—

Not exceeding per Working Day.	EMPLOYER.		INSURED PERSON.	
	Men.	Women.	Men.	Women.
<i>s. d.</i>	<i>d.</i>	<i>d.</i>	<i>d.</i>	<i>d.</i>
3 0	10	9	nil.	nil.
4 0	6	6	4	3

Contributions of the voluntary class, i.e. where income does not exceed £250 per annum, are at the employed rate where

medical benefit is given. Where income is over £250 per annum no medical benefit is provided and contribution is reduced by 2d. weekly.

Contributions cease at 70 years of age. Employer pays for all employees whether "exempt" persons or not. In the case of employees to whom Certificates of Exemption have been granted the employer's rate is 5d.

Parliament provides in the case of both men and women two-ninths of the funds required to provide and administer the benefits under the Acts.

Contributions in respect of serving seamen, marines, soldiers and airmen are now paid entirely from naval or military funds. No deduction is made from men's pay. The cash benefits are administered by the Ministry itself.

**Arrears.** A certain number of contributions are required to be paid every year, otherwise the insured person will fall into arrears. This will result in reduction or suspension of benefits in accordance with the table set out on the insured person's record card. (The National Health Insurance (Prolongation of Insurance) Act, 1921, modifies this position in reference to insured persons ceasing to be employed.) The insured person must deliver the card to his employer at the proper times for the purpose of stamping and must send his card, with his Record Card, to his approved society. Failure to surrender this card promptly may result in a serious loss of benefits.

**Benefits** are of three classes, viz. minimum, additional, and extended benefits.

**MINIMUM BENEFITS, viz.—**

(a) *Medical Benefit* consists of medical treatment and attendance, from date of entrance, including the provision of proper and sufficient medicine and such medical and surgical appliances as may be prescribed by regulations of the Ministry of Health. The National Health Insurance Act, 1920, provides that this shall include treatment and attendance in respect of tuberculosis.

(b) *Sickness Benefit* consists of periodical money payments as per scale below, commencing on the fourth day of incapacity.

(c) *Disablement Benefit* consists of periodical money payments as per scale below.

(d) *Maternity Benefit* consists of payment normally of 40s. to the wife or widow of an insured person or an unmarried woman

who is an insured person. A married woman who is herself insured and whose husband is also insured is entitled to two benefits, normally 80s.

Sanatorium benefit, except as regards Ireland, ceased under the National Health Insurance Act, 1920, and is now provided by local authorities. The position is explained later.

Sickness and disablement benefit as from 1st July, 1918—

Insured Person who has been insured and has paid contributions for :	Sickness Benefit for 26 weeks.		Disablement Benefit, so long as rendered incapable of work by disease or disablement.	
	Men.	Women.	Men.	Women.
	<i>s.</i> <i>d.</i>	<i>s.</i> <i>d.</i>	<i>s.</i> <i>d.</i>	<i>s.</i> <i>d.</i>
Over 104 weeks .	15 0	12 0	7 6	7 6
Under 104 weeks .	9 0	7 6	7 6	7 6

Sickness benefit is payable as long as incapacity continues up to a maximum period of 26 weeks, after which, if 104 contributions have been paid and the insured person has been in insurance for 104 weeks, he becomes entitled to Disablement Benefit, which continues to be payable as long as he remains incapable of work.

**DEPOSIT CONTRIBUTORS.** Deposit contributors are insured persons who are not members of an approved society. Their contributions are paid into the Post Office Fund and they can draw upon that fund when qualified for benefit to the extent of the credit and two-sevenths more—the balance being the contribution paid by Parliament. But when the balance in the fund is exhausted, then benefits cease.

Exempt persons are entitled to either medical benefit or a contribution towards cost of medical treatment.

Persons ceasing to be insurably employed remain insured for all benefits for one year (exclusive of any period of illness of which notice is given) from the date on which he ceases insurable employment.

**ADDITIONAL BENEFITS.** Certain specified additional benefits, and others of the same character as those specified, may be declared by an approved society showing a surplus after each quinquennial actuarial valuation, but no provision can be made for death benefits.

**EXTENDED BENEFITS.** Extended benefits may be declared

after the process of the equalization of the contributions of persons entering into insurance one year after commencement of the Act is complete.

**Approved Societies.** Approved societies include any society, organization, or body of persons with at least 5,000 members (societies with less membership may be grouped), approved by the Ministry under following conditions, viz.—

(a) The section of its work which deals with State Insurance cannot distribute any of its surplus funds otherwise than as benefits, whether benefits under this Act or not, among its members ;

(b) No profit is to be made out of this branch of its business ;

(c) The society must be mutual so far as this branch of its business is concerned. The affairs must be subject to absolute control of its members, and no honorary members are to have the right of voting on questions and matters arising under the Act ;

(d) Separate books and accounts are to be kept and are to be subject to Government audit ;

(e) A valuation of assets and liabilities by the Government must be made every five years, with right to declare additional benefits ;

(f) The society must provide security to compensate the Government against malversation or mis-appropriation by officials of the society or branch.

The functions of approved societies include the admission or rejection of any insured person or any person entitled to become insured. They arrange for the payment of sickness benefit, maternity benefit, and disablement benefit direct to members or towards their maintenance in institutions, and the investment of one-half of the total reserve fund.

**Insurance Committees.** The local administration is in the hands of the Insurance Committee, being a body corporate with perpetual succession and a common seal, which is elected for the area of every county and county borough.

The duties of the Insurance Committee include the administration of medical benefit, the formation of panels of doctors and pharmacists, and the determination of the income limit for contract.

The Insurance Committees undertake the management of affairs of approved grouped societies. The whole of the benefits of deposit contributors and members of the Navy and Army

Fund are administered through them. They also issue regulations respecting payment of these benefits.

The Acts provide that the Insurance Committee should undertake the collecting of information and statistics respecting the health of insured persons and the making of reports and returns, as may be required, by the Ministry of Health.

The Insurance Committee has power to demand inquiry by the Secretary of State or Ministry of Health as to excessive sickness, and to arrange lectures and publish information relating to health.

The finance of the Insurance Committee includes the receipt and disbursement of all funds for medical benefits and for general purposes. It possesses a fund for general purposes, and an administration fund. The National Health Insurance Act, 1920, provides that there shall be paid in each year to Insurance Committees in Great Britain out of the funds out of which health insurance benefits are payable on account of the cost of medical benefit a sum of 9s. 6d. The same Act as amended by the National Health Insurance Act, 1921, also provides for payment on account of administration expenses of those committees such sum not exceeding 6d. as may be prescribed in respect of each of the total number (calculated in the prescribed manner) of the persons who are entitled to medical benefit as being or having been members of an approved society.

The constitution of the Insurance Committee is by the National Health Insurance Act, 1921, a minimum of 20, and a maximum of 40 members, elected in the following proportions of—

(a) Insured Persons and Deposit Contributors . . .	three-fifths
(b) County or County Borough (at least two women)	one-fifth
If total of Committee is less than 30, one woman.	
(c) (i) Medical Practitioners . . . . .	2
If total of Committee is less than 30 . . .	1
(ii) Doctors appointed by Council . . . . .	1
If total of Committee exceeds 30 . . .	2
If total of Committee is 40 . . . . .	3
(iii) Remainder by Ministry of Health—	} one-fifth
Medical Practitioners, at least . . . . .	
Women, if total Committee over 30 . . .	
Women, if total Committee less than 30 . .	

**Accounts and Audit.** The accounts of the approved societies

and insurance committees are prescribed in detail and are subject to audit by Treasury auditors, who have power of surcharge.

Special provisions are made with respect to naval, military, and air services, mercantile marine, seasonal trades, certificated and other teachers, married women, deposit contributors, etc.

**Tuberculosis.** Section 4 of the National Health Insurance Act, 1920, provides that sanatorium benefit shall, except as regards Ireland, cease to be included among the benefits conferred by Part I of the National Insurance Act, 1911. The Minister of Health was empowered in connection with the discontinuance of sanatorium benefit, to make provision by regulations for the necessary financial and other dislocations thus occasioned.

The Public Health (Tuberculosis) Act, 1921, became exceedingly urgent to prevent the machinery for the provision of sanatorium benefit from coming to a standstill. On 30th April, 1921, the responsibilities of insurance committees for providing institutional treatment for tuberculosis ceased, and their work had to be carried on by other public bodies. That work, in regard to both insured and non-insured persons, was taken over completely by the county and county borough councils, who had already been responsible for a large amount of work in connection with tuberculosis by the provision of dispensaries, sanatoria, and other institutions. The Act was designed to sanction by law a system which had already been agreed upon, and was necessary in order to get a smooth transfer. Of 145 county and county borough councils in England and Wales, 124 had already made their arrangements, and the Act imposed no fresh obligation on these councils. Of the remaining 21 councils all but one had made some provision. The powers of the councils may be exercised by committees, sub-committees or joint committees of county councils and county boroughs. Such committees may include co-opt members of the insurance committees and other persons of experience, provided not less than two-thirds of such committees are members of the council. Such a scheme as is contained in this Act is also in operation in Scotland.

It is now claimed that tuberculosis is a preventable disease and ought not to exist in any civilized country, and that in its early stages it is a curable disease. It should be possible to aim at the entire elimination of the disease in the course of the next two or three generations. This is possible, according

to medical science, if only the Government and the people are willing to undertake the task.

**Maternity and Child Welfare.** War interest was responsible for some activity in the field of maternity and child welfare. A Notification of Births Bill of 1915 had proposed to empower local authorities to make arrangements for attending to the health of expectant and nursing mothers and of children under five years of age ; but as it appeared in the course of the passage of the Bill through Parliament that, so far as related to England and Wales, this provision trespassed upon the medical province of the Board of Education, it was restricted to the case of local authorities in Scotland by the Act finally passed. Its provisions have been explained in an earlier chapter.

**Welfare Work.** The Ministry of Munitions, called into existence in 1915, by the national peril due to shortage of war material, was of necessity gravely concerned with the supreme question of output, and prosecuted a series of the most valuable inquiries into the physical consequences of industrial fatigue and other questions affecting the physical efficiency of workers in its factories. A Health of Munition Workers Committee was appointed which, in a series of important reports, laid stress upon the new aspects of industrial health which their investigations had disclosed. Thus, in addition to the Home Office, a new department with a widespread administrative organization laid claims to functions in the province of industrial health.

**Disabled Soldiers and Sailors.** The Ministry of Pensions introduced even greater complications. Royal Pensions Warrants had invested both that department and its predecessor, the Statutory War Pensions Committee, with powers and duties in relation to the medical treatment of disabled soldiers and sailors. But these disabled men have been entitled, as ratepayers and taxpayers, to access to whatever suitable medical provision had independently been made by local sanitary authorities ; while the great majority, as insured persons, were also entitled to certain medical services under the Insurance Scheme. In addition, however, to these rights, they acquired new rights by virtue of their disability due to war service. These rights are referred to in the following chapter.

**The Ministry of National Service.** The re-creation in the autumn of 1917 of the Ministry of National Service, for the discharge of functions acknowledged to be of the greatest

importance, still further complicated the tangle of health administration. As the need for military drafts continued, it became appreciated that every man recruited for the forces was a man demobilized from the civil army engaged in the prosecution of the War ; and the process of recruiting was accordingly entrusted to a civil department as better able to hold the balance between the civil and military needs. But the functions of the Ministry necessarily included the medical examination of recruits ; and in view of the magnitude of the undertaking an extensive medical department was inaugurated, comprising under centralized control a complete network of medical officers throughout the country for the purpose of organizing medical boards of part-time local practitioners.

Incidentally, however, the Ministry became involved in functions more directly concerned with the national health. In no province of recruiting was there greater need for attention to civil as against military needs than in the case of doctors ; and as the authority responsible for providing the medical service of the armed forces with sufficient medical men, the Ministry could not avoid responsibility for so conducting its operations as not to endanger the medical service of the civil community. In the process of recruiting, and later in the process of demobilizing medical men, the Ministry accordingly undertook the duty of focusing and balancing the needs of the several service departments as against the needs of the innumerable (by this time) civil authorities, central and local, concerned with the public health. Thus, the function pre-eminently appropriate to a Ministry of Health, that of making adequate provision for the medical attendance of the civil community, was, on the first occasion when it was discharged by any single authority, entrusted to a temporary war department primarily, concerned with recruiting, working, however, in close co-operation with the Local Government Board, now the Ministry of Health.

## CHAPTER XXIX

### PENSIONS

#### OLD AGE PENSIONS.

THE subject of pensions for the aged had engaged the attention of philanthropists and economists for many decades. The subject may be said to have entered into practical politics in 1879, when the late Canon Blackley outlined his original scheme in the *Nineteenth Century*. This was followed by the scheme of the National Provident League to which, it was stated, Canon Blackley was not opposed. The next important scheme was that devised by the sub-committee appointed by the Voluntary Parliamentary Committee, formed for inquiring into old age pensions, which, for the sake of a short title, is generally called the Chamberlain Scheme, because the late Mr. Joseph Chamberlain was a member of that sub-committee. The most popular proposal for old age pensions was the universal pension scheme of the late Mr. Charles Booth who, with Mr. Arthur Acland, prosecuted an inquiry into the condition of the aged poor of the country generally, taking certain villages selected as types for this purpose.

The Poor Law Reform Association propounded a scheme, which was followed by one submitted to the meeting of the British Association in 1893 by the Rev. W. Moore Ede.

**Appointment of Royal Commission.** A Royal Commission was appointed in 1893 and reported in 1895. A Committee (known as the Rothschild Committee) was then appointed in 1896 and reported in 1898. A Select Committee (Mr. Chaplin's Committee) was appointed in 1899 to consider certain Bills then before Parliament and reported that year. A Departmental Committee sat immediately afterwards to report upon the financial proposals made by Mr. Chaplin's Committee. Finally, in 1903, a Select Committee dealt with the case of Aged Pensioners, and came to the conclusion that it would be practicable in this country to create a workable system of old age pensions.

It was in consequence of the report of this committee that a Departmental Committee of experts was appointed, presided over by Sir Edward Hamilton, to consider what the cost of

carrying out this scheme would be. They found that, for the year 1901, the population of the United Kingdom over 65 years of age might be estimated at a little over 2,000,000. If the whole of these 2,000,000 were to be entitled to receive a pension upon the scale suggested, viz., 5s. a week—that is to say £13 a year—the total cost would obviously be £26,000,000. But from these 2,000,000 people the Select Committee deducted no less than 1,350,000 as persons who would not come within the conditions which were suggested, leaving 650,000 people who would legitimately become entitled to pensions charged upon the Exchequer or the rates, as the case might be. Assuming that these people were to receive a pension varying somewhere between 7s. and 5s. 6d. a week, the estimated total annual cost would be £10,300,000. Sir Edward Hamilton subsequently stated that he believed this to be an underestimate; it might approach something like £13,000,000.

**House of Commons Motion.** Several private members' Bills followed and the House of Commons on the 14th March, 1906, agreed to the motion that—

“A measure is urgently needed in order that, out of funds provided by taxation, provision can be made for the payment of a pension to all the aged subjects of His Majesty in the United Kingdom.”

The Government, through its Chancellor of the Exchequer (the Rt. Hon. H. H. Asquith), reserved the fullest liberty as to the time, mode, and extent of the application of this principle. Mr. John Burns expressed the view that the best, simplest, and fairest was Mr. Charles Booth's scheme, by which everybody was to receive a pension, irrespective of condition and means, of 5s. a week at 60 years of age. But it was the most costly scheme.

In support of the motion it was stated that, in 1905, £14,000,000 was spent on 800,000 men, women, and children in connection with the Poor Law. Of these, nearly 300,000 were 65 years of age and over, and to keep them in and out of the workhouse cost £6,000,000. But that sum would not be saved by old age pensions; if so, many of the aged poor would be worse off with 5s. outside the house than inside, where they cost from 8s. up to even 17s. per week.

**Estimate of Annual Cost.** The Budget statement of 1908, made by Mr. Asquith, showed that there had been a realized

surplus of four and three-quarter millions which was applied to the reduction of the National Debt. The estimated revenue for the coming year was £157,770,000 and the estimated expenditure £152,869,000. This allowed a remission of the sugar duty, costing £3,400,000 ; and left enough for the cost of the first quarter's Old Age Pensions, £1,200,000, which was all that would fall on the current estimates. Thus announced, the Old Age Pensions Scheme was introduced in a separate Bill. Pensions were to begin at the age of 70 years, and were to be 5s. a week. It was calculated that half-a-million people would come into the scheme, and that the cost would amount to about six millions a year. The hope was held out that in time the pensionable age would be reduced to 65 years. There was criticism of the scheme from the Opposition. The Unionist theory of the old age pensions had always been that the scheme should carry with it some form of contribution during early-life—should be, in fact, an insurance rather than a gift. Some Radical individualists of the older school steadfastly maintained a similar attitude. The complaint about the free gift of the pensions was largely met by the answer that very many of the beneficiaries would, without the pension, be costing the community money as inmates of workhouses and infirmaries. Criticism of the Bill was, of course, dangerous ground ; few men wished to be notable in their constituencies as opponents of old age pensions ; and the measure had therefore no real difficulties in the House of Commons. In the House of Lords, where there was no fear of constituents, opposition was rather more open. Lord Cromer went so far as to carry an amendment limiting the operation of the Act to seven years, but as this was an infringement of the privileges of the House of Commons, as touching finance, the Speaker disallowed the amendment.

The Old Age Pensions Act, 1908, has been amended by the Acts of 1911 and 1920.

**Administration of the Acts.** The administration of the Acts is divided. The Central Pension Authority is the Minister of Health, who decides any appeal made to him by the applicant or by the Pension Officer against the decision of the Local Pension Committee. The Pension Officers are appointed by and are in the service of the Board of Customs and Excise. The pensions are payable through the Post Office, which also provides the necessary forms of application for the pensions.

The Local Pension Authorities are the Local Pension Committees. The council of every borough or urban district with a population of 20,000, as well as the council of the county, excluding the area of such borough or urban district, appoints a Local Pension Committee for its own area. The members of such committee are not necessarily members of the council, and women may be members. The number must not be less than seven or not more than the number of members of the council, as decided by them. The quorum is not less than three. The term of office is three years, or such less time as the council decide. The Clerk of the Committee is to be a fit person appointed by the committee, to hold office during their pleasure. Usually the Clerk of the appointing Council is chosen.

**Qualifications for Pension.** The qualifications for pension are that the person must satisfy the pension authorities (a) that he has attained the age of 70 ; and (b) that for at least ten years up to the date of the receipt of any sum on account of a pension he has been a British subject. The condition as to nationality shall not be required to be fulfilled in the case of a woman who satisfies the pension authorities that she would have fulfilled the conditions but for her marriage with an alien.

It shall be a statutory condition for the receipt of an old age pension by any person that the person must satisfy the pension authorities, if he is a natural born British subject, that he has since attaining the age of 50 years had his residence in the United Kingdom for an aggregate period of not less than twelve years. If he is not a natural-born British subject, he must satisfy the pension authorities that he has had his residence in the United Kingdom for an aggregate period of twenty years.

" Residence " means actual presence for at least twelve years in the aggregate out of the twenty preceding years. For the purpose of computing the twelve years' residence in the United Kingdom the following are included—

(a) Employment in the service of the Crown, or as the wife or servant of a person in any service remunerated by the Crown.

(b) Any periods spent in the Channel Islands or the Isle of Man by a person resident in the United Kingdom.

(c) Periods spent abroad while maintaining or assisting dependants in the United Kingdom.

(d) Service on board a vessel registered in the United Kingdom.

(e) Periods of temporary absence, not exceeding three months in duration at any time, are to be counted as periods of residence in the United Kingdom if throughout absence the home was in the United Kingdom.

The person must satisfy the pension authorities that his yearly means as calculated under this Act do not exceed £49 17s. 6d.

**Disqualifications.** Disqualification attaches to a person while he is an inmate of any workhouse or Poor Law institution (other than for medical or surgical treatment during a period of three months), and during detention under the Lunacy Acts.

**Procedure.** If a person desires to claim a pension under the Act, he or she may obtain the necessary form at the local Post Office. The Postmaster will give any necessary help in filling up the form, and will furnish the address of the Local Pension Officer to whom, after the form has been filled up, it should be posted or delivered.

**Proof of Age.** Claimants may prove their age by one of the following documents, viz., certificate of birth; certificate of baptism; certificate of service in any of the forces of the Crown; certificate of membership of any friendly or provident society or trade union; certificate of marriage; or by any other evidence which appears sufficient for the purpose, such as an old entry in a Bible. If the applicant has no certificate of birth or baptism, and can give the Pension Officer particulars of the date and place of birth and the names of both parents, the Pension Officer is empowered to ask the Registrar-General to make a search for an entry of the birth free of charge.

On receipt of the claim the Pension Officer will investigate it and then submit it to the Local Pension Committee with a report. The Clerk to the Committee is required to arrange a meeting within seven days and the claim is forthwith examined and, if there is no objection, is allowed. In case of objection, the claim is adjourned for a further meeting not more than a month after the date of original meeting, and notice is sent to claimant. At the adjourned meeting the committee give a decision, and send notice to Pension Officer and claimant. Notice of appeal may be sent within seven days to the Ministry of Health, whose decision is final.

**Amount of Pension.** (1) Where the yearly means of the

claimant or pensioner as calculated under the Old Age Pensions Acts, 1908 and 1911—

	<i>Per Week</i>
	<i>s. d.</i>
(a) Do not exceed £26 5s. . . . .	10 -
(b) Exceed £26 5s. but do not exceed £31 10s. . . . .	8 -
(c) Exceed £31 10s. but do not exceed £36 15s. . . . .	6 -
(d) Exceed £36 15s. but do not exceed £42 . . . . .	4 -
(e) Exceed £42 but do not exceed £47 5s. . . . .	2 -
(f) Exceed £47 5s. but do not exceed £49 17s. 6d. . . . .	1 -
(g) Exceed £49 17s. 6d. . . . .	nil.

(2) Where the combined yearly means of husband and wife, living together and both pensioners—

	<i>Per Week</i>
	<i>s. d.</i>
(a) Do not exceed £52 10s. . . . .	20 -
(b) Exceed £52 10s. but do not exceed £63 . . . . .	16 -
(c) Exceed £63 but do not exceed £73 10s. . . . .	12 -
(d) Exceed £73 10s. but do not exceed £84 . . . . .	8 -
(e) Exceed £84 but do not exceed £94 10s. . . . .	4 -
(f) Exceed £94 10s. but do not exceed £99 15s. . . . .	2 -
(g) Exceed £99 15s. . . . .	nil.

**Calculation of Means.** (a) In calculating the means of a person, account is taken of the yearly value of any property belonging to that person (not being property personally used or enjoyed by him) which is invested, or is otherwise put to profitable use by him, or which, though capable of investment or profitable use, is not so invested or put to profitable use by him. This is calculated as follows, viz.—

(i) The first £25 of the capital value of the property shall be excluded ; and

(ii) The yearly value of the next £375 of the capital value of the property shall be taken to be one-twentieth part of the capital value ; and

(iii) The yearly value of so much of the capital value of the said property as exceeds the sum of £400 shall be taken to be one-tenth part of the capital value.

(b) Account is also taken of the income which that person may reasonably expect to receive during the succeeding year in cash, excluding any sums receivable on account of an old age pension under this Act, and excluding any sums arising from the investment or profitable use of property (not being property personally used or enjoyed by him), such income, in the absence of other means for ascertaining the income, shall be taken to be the income

actually received during the preceding year. In calculating the income mentioned, no account shall be taken of any amounts received during a period of not more than three months in any year by a person, or by the husband or wife of a person, as the case may be, under a medical certificate as sickness benefit from a friendly society or trade union, or under the National Insurance Acts.

(c) No account shall be taken of the furniture and personal effects of a person, whatever the value thereof may be.

(d) Where a husband is separated from his wife, any sum paid by him to her under a separation shall be deducted in calculating his means.

(3) In calculating the means of a person being one of a married couple living together in the same house, the means shall be taken to be half the total means of the couple, and where either of the couple or the couple jointly is entitled to any property, each of them shall be deemed to be entitled to one-half of that property.

#### **THE BLIND PERSONS ACT, 1920.**

The Blind Persons Act, 1920, came into operation on 10th September, 1920. Section 1 of the Act reduces the statutory age for the receipt of an old age pension in the case of blind persons from 70 to 50. Section 2 imposes an obligation upon county and county borough councils, including the Common Council of the City of London, to make arrangements to the satisfaction of the Minister of Health for promoting the welfare of blind persons ordinarily resident in their area. Section 3 applies the provisions of the War Charities Act, 1916, with certain modifications, to charities for the blind as defined in the section. By Section 2 the councils mentioned are required within 12 months to prepare and submit to the Minister a scheme for the exercise of their powers under the section, and a memorandum on the subject has been prepared by the Ministry for their guidance.

**Grant by Minister of Health.** The Minister of Health is prepared to pay a grant towards the approved capital outlay incurred by a council in the provision of new accommodation or equipment under the powers conferred by Sub-section (1) of Section 2 of the Act, such grant to take the form of a proportion of the loan charges not exceeding 50 per cent, except where the expenditure is met from revenue. In the latter case, unless the Minister otherwise agrees, the grant will take the form of an annual

contribution equivalent to 50 per cent of the loan charges that would have had to be paid if the capital expenditure had been met by loan. Capital outlay may, subject to the approval of the Minister, be incurred by the council either directly or by way of capital contribution to a voluntary agency.

**Committee on the Causes and Prevention of Blindness.** The Minister of Health has appointed a committee to investigate and report on the causes of blindness, including defective vision sufficient to impair economic efficiency, and to suggest measures which might be taken for the prevention of blindness.

**Finance.** The sums required for the payment of old age pensions under these Acts are paid out of moneys provided by Parliament.

### **NAVAL AND MILITARY WAR PENSIONS, Etc., ACTS.**

The Naval and Military War Pensions, etc., Act, 1915, has been amended by the Naval and Military War Pensions, etc., Act, 1916, Naval and Military War Pensions, etc. (Transfer of Powers) Act, 1917, the Naval and Military War Pensions, etc. (Administrative Expenses) Act, 1917, and the War Pensions Act, 1921.

**Objects of the Acts.** The objects of the Acts are for purposes relating to pensions and grants and allowances made in respect of the war to officers and men, their wives, widows, children, and other dependants, and the care of officers and men disabled.

The Pensions Service is administered by the Ministry of Pensions in accordance with the Ministry of Pensions Act, 1916, from central offices in London and from Regional Headquarters.

### **MINISTRY OF PENSIONS.**

1. **The Ministry of Pensions Act, 1916.** On the 14th November, 1916, a Board of Pensions Bill was introduced by Mr. Arthur Henderson, then the Paymaster-General, with the general object of improving the administration of pensions and grants awarded for disablement sustained in war service. It was proposed by this Bill to constitute a Board of Pensions, with the Paymaster-General as President and the Parliamentary Secretaries of the Admiralty and Local Government Board and the Financial Secretary of the War Office as members. The Bill gave the proposed Board power to deal with military pensions only, and on this and other points met with considerable criticism in the

House of Commons. As a result, substantial amendments were proposed by the Government while the Bill was in Committee, which were embodied in what was, in effect, a new Bill, "The Ministry of Pensions Bill." The Bill as amended was passed and became law on the 22nd December, 1916.

**2. Constitution of the Ministry of Pensions.** The Ministry of Pensions Act, 1916, constitutes a Minister of Pensions responsible to Parliament, and provides that he shall be entitled to receive advice and assistance on any matter on which he may request it from the Parliamentary and Financial Secretary of the Admiralty, the Financial Secretary of the War Office, and the Parliamentary Secretary of the Local Government Board.

**3. Powers and Duties of Minister.** Section 2 (1) of the Act transfers to the Minister of Pensions, as from a date to be prescribed by Order in Council (*see* paragraph 7), the powers and duties of the Admiralty, the Chelsea Commissioners, and the War Office in respect of the administration of pensions and grants to officers and men and to their widows, children, and dependants, and to persons in the nursing services of the Naval and Military Forces, except "service" pensions, in-pensions, and pensions or grants payable out of funds provided exclusively for the purpose of Greenwich Hospital. The award of "service" pensions remains under the control of the Admiralty and War Office.

**4. Statutory Committee.** The Statutory Committee, which had been formed under the Naval and Military War Pensions, etc., Act, 1915, for the purpose of administering supplementary assistance in cases of hardship where the State separation allowance or pension was deemed inadequate. The provision for the after-care of disabled officers and men was not affected by the Ministry of Pensions Act, 1916, except that Section 3 of the latter Act provided that the powers and duties of the committee should be exercised "under the control of, and in accordance with the instructions of the Minister of Pensions." The committee was required also to render to the Minister, when requested, its advice and assistance on any matter. By Section 4 of the Ministry of Pensions Act, the Local War Pensions Committee, also constituted under the Act of 1915, was required to render the same assistance to the Minister of Pensions in regard to furnishing information, making recommendations, and distributing grants as it was required to render to the Statutory

Committee. The Local Committee remained responsible to the Statutory Committee and not to the Ministry.

**5. Naval and Military War Pensions, etc. (Administrative Expenses) Act, 1917.** This Act deals mainly with the manner in which the administrative expenses of local War Pensions Committees are to be met. Section 3 of the Act, however, gives the Minister power to approve the formation of Local Committees in areas with a population between 20,000 and 50,000. Such decisions had been left exclusively to the discretion of the Statutory Committee by the Act of 1915. Section 5 of the Act enables the Minister to make an order to divert, on the application of the trustees, a local voluntary fund which had been raised for some specific purpose connected with the provision of assistance to disabled officers or men or to the wives, widows, or dependants of officers or men, to some other purpose of a similar kind, if the trustees of the fund apply to him. (Up to the 31st March, 1918, advantage had not been taken of this Section.) Section 6 of the Act further empowers the Minister to accept gifts of money or securities to be applied for the purpose of assisting disabled officers and men and the widows and dependants of deceased officers and men. Voluntary gifts of substantial amount have been made to the Minister under this provision.

**6. Naval and Military War Pensions, etc. (Transfer of Powers) Act, 1917.** The arrangements contemplated by the Ministry of Pensions Act under which the Statutory Committee continued to exercise its original powers and duties subject to the direction of the Minister of Pensions, proved in a short time to be unworkable in practice. In June, 1917, Mr. Barnes introduced a Bill which became law in August, dissolving the committee and transferring its functions to the Minister. At the same time, Section 2 of the Act required the Minister to appoint a committee, to be known as the Special Grants Committee, to which were transferred the functions of the Statutory Committee—

(i) to decide questions of fact on which the amount of a pension or grant to a dependant, other than a widow or child, might depend (Section 3 (1) (a) of the Act of 1915) ;

(ii) to frame regulations, subject to the approval of the Minister, for supplementary grants (Section 3 (1) (b) ) ;

(iii) to decide questions as to forfeiture of pensions, etc., in certain cases (Section 3 (1) (f) ) ;

(iv) to decide in cases of conflicting claims (Section 3 (1) (g) ) ;

(v) to determine questions referred by the Minister relating to pensions, etc. (Section 3 (1) (h) ) ; and

(vi) to determine the amount of any grant, etc., provided for in Section 3 (1) (c), (d), (e), and (k).

The functions of the Statutory Committee relating to the establishment and control of the Local War Pensions Committees and to the after-care of disabled men, were transferred to the Minister.

**7. Central Administration.** (a) ORIGINAL ORGANIZATION. In pursuance of the terms of Section 2 (1) of the Ministry of Pensions Act, 1916, an Order in Council was issued transferring to the Minister of Pensions the powers and duties of the Admiralty, the Commissioners of Chelsea Hospital, and the Army Council in regard to the administration of disablement pensions, as from 15th February, 1917.

Section 5 of the Ministry of Pensions Act gave the Minister the usual powers for the appointment of secretaries, officers, and staff. Section 8 further provided for the transfer to the service of the Ministry of such numbers of the staff employed in the administration of pensions under the Admiralty, the Chelsea Commissioners, and the Army Council, as might be agreed upon between the Ministry and the respective departments. The work of the Ministry was, in the first instance, organized in four divisions, three of which were placed under the charge of Assistant Secretaries, whilst Finance was presided over by the Director of Finance. The Divisions were constituted as follows—

1. The award of pensions to disabled soldiers, seamen, and marines ;

2. The award of pensions and gratuities to officers and widows and dependants of officers ; and to widows and dependants of soldiers, seamen, or marines killed in war service ;

3. The control and direction of the Statutory Pensions Committee, including the treatment and training of disabled men ; the office establishment department ; and general matters other than the award of pensions ; and

4. Finance, including the actual payment of all awards of pension or gratuity.

(b) SUBSEQUENT ORGANIZATIONS. With the passing of the Transfer of Powers Act, 1917, the constitution of the department had to be modified to provide for the direct administration by the Ministry of the powers of medical treatment and of training

taken over from the Statutory Committee, and for the establishment of a further division to deal with the work of the Special Grants Committee set up under that Act, for which an additional Assistant Secretary was appointed. Ultimately the Minister deemed it desirable, in view of the increase of the work connected with medical treatment and training, to entrust these branches to technical experts, and a Director of Training and a Director of Medical Services were accordingly appointed. It was also decided to form separate branches of the Ministry for the purpose of the supply and repair of artificial limbs, and for surgical appliances, which were respectively placed under the charge of directors. At the same time, the Inspectorate which had been formed under the Statutory Committee to assist the Local War Pensions Committees was reorganized and increased, and its direction was entrusted to a Chief Inspector. At the 31st March, 1918, the branches of the Ministry responsible to the Secretary were, accordingly, as follows—

1. Finance ;
2. Award of pensions and gratuities to soldiers, seamen, and marines ;
3. Award of pensions and gratuities to widows and dependants of soldiers, seamen, and marines ;
4. Award of pensions and gratuities to officers and widows and dependants of officers, and medical treatment and training of officers ;
5. Local administration and office establishment ;
6. Medical services, including medical treatment of discharged men ;
7. Vocational training of discharged men ;
8. Supply and repair of artificial limbs ;
9. Supply and repair of artificial appliances ;
10. Department of Chief Inspector ;
11. Special Grants Committee.

The Central Administration is assisted by a Central Advisory Committee constituted under the War Pensions Act, 1921. This committee consists of officers of the Ministry (local and central), ex-service men, and representatives of any committees constituted under the War Pensions Acts. This committee considers such matters as may be put before them by the Minister for their advice.

The Local War Pensions Committees were formed under the

Naval and Military War Pensions, etc., Act, 1915, for every county and county borough. Every borough and urban district having a population of not less than 50,000 may have a Local Committee where the Council so desires. Any other borough or urban district may have a Local Committee where the central authority, on the application of the Council thereof, considers it desirable.

**The Constitution of Local War Pensions Committees** is provided for under a scheme framed by the central authority under the War Pensions Act, 1921. The committee so established shall not exceed 25 members, appointed by the Minister, and the scheme shall provide for the inclusion of representatives of—

- |  |                             |
|--|-----------------------------|
| (a) Disabled men who have been discharged during the war.  | } not less than one-quarter |
| (b) Women in receipt of pensions arising out of service during the war.                          |                             |
| (c) Such local authorities whose districts are situated in the area.                             | } one-fifth                 |
| (d) Employers and workmen in industry in equal numbers.  |                             |
| (e) Voluntary associations engaged in the care of ex-service men and their families in the area. |                             |

Not less than four members of the committee shall be women.

**Functions of Local War Pensions Committees.** The functions of the committee as provided by the 1921 Act are—

- (a) To consider and make recommendations as to the administration of war pensions ;
- (b) To receive reports from officers as to the state and progress of applications ;
- (c) To hear and consider complaints by persons in receipt of pensions and to make representations to the Minister ;
- (d) To inquire into any matter referred to them by the Minister ;
- (e) To make arrangements for the distribution of supplementary grants ;
- (f) To consider applications for grants from departments, bodies or associations ;
- (g) To perform duties in relation to children for whom the Minister is responsible ;
- (h) To take steps to secure co-operation of voluntary workers ;
- (i) To perform such other duties as the Minister may by regulation prescribe.

The system is a very complicated one, too detailed to be dealt with fully, but the following points may be useful as a general guide to the subject.

**I. Pensions for Men** are granted as follows—

(a) Disablement Pensions and Allowances or Gratuities to men who come within one of the following classes—

(1) Discharged as Medically Unfit for further service or while suffering impairment of health attributable to or aggravated by service during the Great War of 1914-18.

(2) If after demobilization or discharge he is suffering from a disablement which is certified as attributable to or aggravated by his service.

(b) Alternative Pensions are provided to meet the case of a man whose pre-war earnings (with the addition of 60 per cent) were higher than his pension and allowances together with the average earnings of which the man is still capable. If granted, it is in substitution for the Disablement Pension and allowances for wife and children.

**II. Pensions for Widows and Dependants of Men.**

(a) **WIDOWS' FLAT-RATE PENSIONS.** Widows' pensions are granted under three different conditions enumerated in the Articles of the Royal Warrant.

(b) **WIDOWS' ALTERNATIVE PENSIONS.** A Widow's Alternative Pension is a pension based on her husband's pre-war earnings, and where granted is in substitution for the pension and children's allowance awarded under Article 11 of the Royal Warrant.

(c) **PENSIONS FOR MOTHERLESS AND ILLEGITIMATE CHILDREN.** A pension may be granted where any child of a man who died is or becomes motherless, or has been removed from the control of its mother.

(d) **SEPARATED WIVES.** A wife who was separated from her husband and would otherwise have been entitled to a pension as widow may be granted a pension equal to the amount due to her under a separation order, or otherwise paid by her husband.

(e) **UNMARRIED WIVES.** Any woman who has lived as his wife with a man, who died in the circumstances similar to (b), may be granted a pension if she was wholly or substantially dependent on that man, and if she has been drawing or has been eligible for separation allowance as for a wife.

(f) **PARENTS.** "Parent" includes a grand-parent, or other

person who has been in the place of a parent to the man, and has wholly or mainly supported him for not less than one year at some time before the commencement of the war.

(g) OTHER DEPENDANTS. Pensions are granted to dependants other than parents and those mentioned above only where the dependant is wholly or partially incapable of self-support, and in pecuniary need.

Under the War Pensions Act, 1921, the Minister may, on the application of any person in receipt of a pension, commute any part of the pension by the payment of a capital sum. The War Pensions Act, 1921, limits the time for making claims to pensions in respect of disablement to seven years after the date on which the claimant was discharged or the date fixed for the termination of the war, whichever date is the earlier.

**III. Medical Services.** (a) ORGANIZATION. Medical Boards exist for the purpose of : (1) Medical Discharge Boards ; (2) Medical Resurvey Boards ; (3) Medical Appeal Boards. Local Committees may send men to Medical Referees who have the duty of examining and certifying men as to treatment, training, degree of disablement, extent of increase of disablement and physical condition.

(b) TREATMENT. Treatment is available where a claim for pension has already been decided by the Ministry for a man suffering from a disablement attributable to or aggravated by service.

(c) TRAINING. Training is provided under normal conditions by the Ministry of Labour or the Ministry of Agriculture and Fisheries.

**The War Pensions (Administrative Provisions) Act, 1919,** made further provision for the administration of War Pensions and Grants. In particular, the Act provides for the administration of pensions, etc., under the Injuries in War (Compensation) Acts. Power to obtain information from employers was extended to include information as to earning capacity, and the power to pay pensions in advance was extended to six months. Further provision as to the audit of accounts of committees were made on the lines of the accounts of Insurance Committees and the audit of such accounts. The Act also gave to every officer or man suffering from a disability, due to or aggravated by service, a statutory right to pensions ; and established a Pensions Appeal Tribunal. This Tribunal hears appeals against Final Awards

made in respect of officers and men under the War Pensions Act, 1921.

**Report of Committee, 1921.** Important recommendations were contained in the Report of the Departmental Committee of Inquiry into the machinery of administration of the Ministry of Pensions which, issued on the 5th July, 1921, is in the form of a Blue Book.

Among the important recommendations of the committee not included above, which were incorporated in the War Pensions Act, 1921, are the following—

Power is given to the Minister to accept custody of a child in respect of whom the Poor Law authorities have obtained parental rights by resolution under the Poor Law Acts, 1889 and 1899.

That regional awarding officers and medical officers should be instructed to explain briefly, in answer to queries by pensioners and claimants, the grounds of the decision.

That a complaints branch be set up in each regional office under the direct control of the regional director ;

That a man, if he so desired, should be allowed the assistance of a member of his local committee or an official of his local ex-service men's association at the hearing of his appeal before the Pensions Appeal Tribunal, and that expenses be paid to such person on the same scale as for the man if the appeal be successful.

Under the Ministry of Health Act, 1919, powers and duties of the Minister of Pensions with respect to the health of disabled officers and men may be transferred, by Order in Council, to the Minister of Health within three years, and in not less than one year from the termination of the war. Similar provisions exist in the Scottish Board of Health Act, 1919. The committee drew attention to the disastrous effects of dual control, and recommended that the provisions referred to should be re-considered with a view to their repeal.

**Officers.** In accordance with the War Pensions Act, 1921, the Ministry of Pensions has taken over the local offices and staffs, and the officials have become State servants under the Ministry.

## PART V

# PRESENT-DAY PROBLEMS

### CHAPTER XXX

#### POST-WAR UNEMPLOYMENT

PRIOR to the Great War, the subject of unemployment had received considerable attention both before the passing of the Unemployed Workmen Act, 1905, and during the period between that date and the issuing of the Reports of the Royal Committee on the Poor Laws and Relief of Distress, which was published in 1909. The registers kept by the Distress Committees under the Unemployed Workmen Act, 1905, had shown that in some of our provincial cities 65 per cent of those receiving assistance from the Distress Committees belonged to the class of casual labourers, and that about 70 per cent had begun life on leaving school as errand boys, stable boys, street traders, and in other "blind-alley" occupations. The Report of the Royal Commission on the Poor Laws and Relief of Distress, issued in 1909, embodied the result of an investigation made by Mr. A. D. Steel-Maitland and Miss Rose Squire (His Majesty's Inspectors of Factories) in the course of which they claimed that casual and irregular employment is the chief cause of pauperism. The Parliamentary Committee of the Trade Union Congress held a national conference the following year on the subject of unemployment. In 1911 the Standing Committee on Boy Labour in the Post Office issued its first report upon the question of annual discharges from the Post Office of a large number of boys without the prospect of future good employment. The subject had been thoroughly discussed, therefore, prior to the Great War.

**Government Action.** Immediately on the outbreak of war measures were set on foot by the Government to deal with industrial conditions. These efforts were largely directed to restoring trade to its normal channels, and the measures taken undoubtedly had an important influence in establishing confidence at that time.

The fears of a deep and widespread dislocation of trade which were entertained in some quarters at the beginning of the war were not realized, and excepting in a few districts and in a few particular trades, unemployment proved to be very much less serious than was anticipated.

With regard to men, the position was mitigated by the withdrawal of large numbers who joined the Army ; and after allowing for enlistments it was found on the whole that there was very little increase in unemployment. In the case of women, the pressure of unemployment was undoubtedly more serious, until they were merged in the employments in which men were formerly employed.

**Prevention and Relief of Distress.** The Government Committee on the Prevention and Relief of Distress was appointed on 4th August, 1914, by the Prime Minister, with Mr. Herbert Samuel, President of the Local Government Board, as chairman. A number of sub-committees were appointed, and the Local Government Board placed their machinery and offices at the disposal of the committee. Local Committees were suggested for every county and borough or urban district having a population exceeding 20,000. They devoted themselves especially to the prevention of distress in districts where ordinary trade had been affected, and in this they were well supported by the endeavours of the local authorities throughout the country. Public works were in many cases expedited, and in a large number of districts schemes were prepared which were available should the necessity arise. In response to a circular from the Local Government Board, a considerable number of local authorities proposed schemes for the building of houses under the Housing (No. 2) Act, 1914. The loans for public works in England and Wales which were sanctioned by the Local Government Board since 4th August, 1914, exceeded £3,500,000.

In addition, several funds were drawn upon in order to provide work, and the Road Board arranged to make grants to the extent of £450,000 in aid of schemes involving a total expenditure of about £1,000,000. The Development Commission, appointed under the Development and Road Improvement Fund Acts, 1909 and 1910, had a number of important schemes under consideration. The money voted by Parliament for the purpose of the Unemployed Workmen Act, 1905, and, in certain circumstances, grants made from the Vote of Credit were also available.

**Grants from National Relief Funds.** Grants from the National Relief Funds had been recommended by the Government Committee in aid of schemes for which grants from other sources were not available. These included experimental proposals for

the cultivation of waste lands, training in special industries, and works of embellishment of municipal buildings. In the latter case the material was found by the local authority, and the grant covered only the cost of skilled labour, which would otherwise have been unemployed.

In view of the demands upon the resources of trade unions to meet the increased claims for unemployed benefit, the Government decided to make emergency grants to voluntary associations which provide benefits for their unemployed members as an addition to the refunds of one-sixth, payable under Section 106 of the National Insurance Act, 1911. These emergency grants brought the State subsidy up to an amount equivalent, in some cases, to one-half of the total expenditure of an association on unemployment benefit.

**Committee on Women's Employment.** With regard to women, a Central Committee on Women's Employment was established, and a special fund, inaugurated by Her Majesty the Queen, was raised. The money so collected was paid into the Prince of Wales's Fund, and grants were made from it on the recommendation of the Government Committee on the Prevention and Relief of Distress in aid of approved schemes proposed by the Central Committee on Women's Employment. That committee established workrooms, and had schemes in hand for the training of women and girls and for experiments in the creation of new industries. In addition to managing schemes under their own auspices, the committee assisted mayoral committees in the formulation of schemes of women's work, which were directly under the control of the local committees. Schemes of this kind, which were financed from the Queen's Fund, were in operation in the metropolitan boroughs and provincial areas, and proposals were submitted by many other local authorities.

The effect of the war was somewhat severely felt among the professional classes, and numerous instances of distress were brought to the notice of the Government Committee. These cases presented special problems which were dealt with by the professional classes sub-committee. Grants from the National Relief Fund were made on the recommendation of that committee to the benevolent societies and similar associations, whose membership was drawn from the professional classes.

Good work was accomplished by the Poor Law Division of the Local Government Board in regard to the provision of

accommodation both for billeting of troops and for the reception of wounded and refugees.

It will thus be seen that the Government was concerned with the problem early in the War. During the early months of 1916 the Asquith Coalition Government considered various schemes for dealing with the unemployment, which it was well known would be one of the post-war problems. To that end, the Local Committees under the Statutory Military Pensions Scheme, and the Distress Committees under the Unemployed Workmen Act, 1905, and the Local Committees under the Government Committee, previously referred to, were to co-operate. It was proposed that the soldiers and the munition workers should be demobilized by trades or, at any rate, up to the ascertained capacity of the labour market to absorb them. It was also recommended that the various Government Departments and local authorities should be prepared to put in hand works of public utility—housing, roads, schools, etc., with grants-in-aid for the purpose of meeting the supplementary costs.

With the advent of the Lloyd George Coalition Government in December, 1916, the subject appears to have been lost sight of and nothing further appears to have transpired until the Armistice seemingly caught the Government unawares.

**Demobilization and Resettlement.** Such was the position at the close of hostilities on the 11th November, 1918. The Prime Minister announced, in a speech on 16th November, 1918, that it was not believed that any great difficulty would be experienced in securing employment for either discharged munition workers, civilian war workers, or discharged members of His Majesty's Forces. He little heeded the oft-repeated warning that the post-war economic conditions would lead inevitably to the crisis which ensued and that, therefore, the problem should be grappled promptly. This problem was twofold: as regards civil workers, and as regards the armed forces.

The following is the outline of the measures which the Government proposed to adopt to tide over the period of demobilization and re-settlement—

#### CIVILIAN WAR WORKERS

(a) Arrangements were made to prevent as far as possible any immediate general discharge of munition workers, while special facilities were given for the withdrawal of all workers who wished to leave munition works and of those who could be

absorbed elsewhere without delay. In order to avoid the necessity for wholesale dismissals, steps were taken to reduce overtime and to reduce the number of hours in the working week, etc., so as to spread the available employment amongst as many workers as possible.

(b) Free railway warrants were issued by the employment exchanges to enable discharged persons to return to their homes, or to proceed to fresh employment.

(c) Enrolled labour was relieved of its obligations so that it could pass to its native district, or to wherever it was required for the work of reconstruction.

(d) The necessary consent was given by Order under Section 2 of the Munitions of War Act, 1917, so as to enable munition workers to take up private work, and they were free to leave munition work for this purpose.

(e) A special unemployment donation was paid upon a non-contributory basis, which, extending over a maximum period of 13 weeks, was expected to bridge over inevitable periods of unemployment.

#### ARMED FORCES

The responsibility for the details of demobilization of the armed forces rested with the services themselves. The new Civil Department of Demobilization and Re-settlement had a two-fold responsibility in the matter. Firstly, it decided the general priority of release; secondly, it took over the soldier, or sailor, or airman, as the case might be, from the point when he left the dispersal camp. The men first released were men who were necessary for the re-establishment of industry on a peace basis in order to prepare the way for the re-employment and re-absorption of labour. This question had been under consideration by the Labour Re-settlement Committee, and a list of industries which, on the sole ground of national interest, were regarded as entitled to receive a share of this limited pool, was drawn up.

**Schemes for Training at Universities.** The Government also introduced a Scheme for the Training of ex-Service Men at Universities and other educational institutions. Admission was secured to the Universities, when candidates had not previously passed a qualifying entrance examination, by the passing of an Alternative Matriculation examination. The fees of the student were paid by the Board of Education to the institution, and a maintenance grant, varying according to circumstances, but

usually amounting to about £150 per annum, was also provided by the State. The advantages of such a scheme were obvious. It was important to keep trained and intelligent men fully occupied at the time of a dual crisis in the history of the nation. There was still the possibility of further hostilities, and such men should be within easy access. Moreover, they would constitute a menace to public safety if allowed to drift, for they had been accustomed to command and to be obeyed. The Education Act, 1918, was still fresh in the public mind. There was a demand for the commencement of Day Continuation Schools, but one of the main difficulties was the lack of an efficient staff of teachers. The ex-service graduate would constitute a valuable nucleus for that purpose. The failure of the consular service and, in certain respects, the diplomatic corps, involved as one of the post-war requirements a re-organization of either or both services on the lines of the Department of Overseas Trade. It seemed only fair, however, that the Government should demand, in return for their grant and facilities for training, the first call upon the service of such men in the consular service, in preventive medicine, in education, and in engineering such as road making, naval architecture, and the like. The disadvantages of the scheme became apparent when many of the men were unable to respond to the severity of continued educational effort. The method of selection had proved faulty. The cost to the State was enormous, and as the men who had registered only for a short course entered the general labour market it became evident that for many of them the course had merely been a postponement of the date for them to join the increasing ranks of the unemployed.

**Appointments Department of the Ministry of Labour.** The Minister of Labour also established an Appointments Department for the purpose of assisting ex-service men and women in securing suitable employment. The Department arranged for training at technical centres, universities, and other educational institutions of candidates for appointments whose education had been interrupted consequent upon the war.

**The Unemployment Donation.** Towards the end of November, 1918, the Ministry of Labour announced that the scheme of out-of-work donation would come into operation on Monday, the 25th November, 1918, and that out-of-work donation policies would not be issued before that date.

The donation was ordinarily paid to ex-members of H.M. Forces, on Thursday, up to the preceding Tuesday inclusive ; and to civilian workers, on Friday, up to the preceding Wednesday inclusive.

Ex-sailors, soldiers, and airmen were entitled to out-of-work donation policies, available for 12 months, if they had actually served with the forces during the war. Civilian workers were entitled to out-of-work donation policies, available for six months, if they were British subjects and became " employed contributors " under the National Health Insurance scheme before 25th August, 1918, and in the case of boys and girls between 15 and 16, if they entered employment before that date.

Unemployed persons desiring to claim the donation were to attend on and after 25th November, 1918, at an employment exchange or branch employment office, taking with them their discharge or other military certificates if they served in H.M. Forces during the war, or their Health Insurance record cards and Health Insurance contribution cards if they were civilian workers. In ordinary cases, attendance daily or as otherwise directed between specified hours at the employment exchange or branch employment office was required as a condition of receipt of donation.

#### RATES OF DONATION PER WEEK

Men over 18 years of age, 24s. . . . .	{	With supplementary allowances for dependent children of 6s. a week for the first child under 15 years of age, and 3s. a week for each additional child under that age.
Women over 18 years of age, 20s. . . . .		
Boys between 15 and 18, 12s. . . . .	{	Subject to attendance if required at a course of instruction under the Board of Education or other Central Authority.
Girls between 15 and 18, 10s. . . . .		

The donation scheme did not become operative until after the applicant had been unemployed and had attended at the exchange for three consecutive days, so that payment for these three days was not due.

The anticipation of a rapid absorption of labour into pre-war industries did not materialize, for the simple reason that there was no employment owing to the operation of the fundamental economic laws. During the succeeding two years the Government let matters drift, but in December, 1920, a Government scheme for the relief of the unemployed was announced in the House of Commons by the Minister of Labour, Dr. Macnamara. The proposals were as follows.

A Government grant of £5 was suggested for every ex-soldier trained in the building industry.

Rapid expansion of the scheme of work in road construction was undertaken. Proposals had already been put forward in the case of sixteen metropolitan borough councils, representing forty main roads, and schemes were before fifty provincial authorities for the repair and improvement of some sixty main roads.

Parliament placed £3,000,000 at the disposal of an Unemployment Grants Committee, presided over by Viscount St. Davids, for the purpose of assisting local authorities in carrying out approved schemes of work other than road-making and house building. Among the conditions of receiving a grant from this fund were that preference of employment should be given to ex-service men, and that the grant should not exceed 30 per cent of the wages bill of the assisted scheme.

The provision of the Unemployment Insurance Act, 1920, which required a qualifying period of four weeks' employment, was set aside by the Temporary Provisions Amendment Act, 1920.

Useful work was to be found in Government establishments. Already employment of this kind has been provided at Woolwich, in the repair of locomotives, the construction of wagons, etc., and the production of war medals; and at Lancaster, Enfield, and Gretna in similar and other forms of industry.

**Local Authorities' Action.** Figures relating to unemployment were very indefinite, but Mr. Clynes in the House of Commons spoke of "the million or so people who are out of work to-day," Dr. Macnamara, the Minister of Labour, stated that 265,000 ex-service men were registered as unemployed on 10th December, 1920, 148,000 civilian men, and 131,000 women, with perhaps a wide margin beyond these figures of persons unemployed but not registered.

Relief works were contemplated by local authorities in all parts of the country. A deputation representing 33 municipalities of Great Britain visited the House of Commons just before the December recess to urge the Government to increase its grants to local authorities for carrying out unemployment relief works. The deputation was received by the Premier and other Ministers, and asked that the grant towards the cost of the schemes should be increased from 30 per cent to 75 per cent. Otherwise, they stated, a large number of local authorities would have considerable difficulty in putting work in hand.

The Premier, in his reply, said that it was quite impossible for the Government to go to the House of Commons for grants which would only increase the burdens of the taxpayer beyond what they had already undertaken. The difficulties were those of limitation and restriction, which they could not remove. The real difficulty was restriction of cash.

"When you come to us with suggestions and ask us for more money (he said) we have only got to say to you that the burdens of the taxpayer have quintupled, whereas the burden of the ratepayer has been doubled."

There had been worse periods of unemployment, he commented, but there had never been a time when the Exchequer went out of its way to such an extent to assist local authorities.

"It is no use asking for 75 per cent for this purpose," declared the Premier. "That is asking for something which it is not within the power of the Exchequer to grant. . . . The cry is for taking off the burdens from the taxpayer and not putting them on."

He then referred to the Exchequer's "gigantic contribution." The Unemployment Insurance Scheme, he said, was "a tremendous contribution towards the solution of the problem." Then there were the contributions towards the roads and other projects of local authorities, "all of a very substantial character, running into millions." There was the twelve millions contribution to roads, and the three million grant for the alleviation of distress. In conclusion, Mr. Lloyd George said it was only by co-operation between local authorities and the Government and all classes that they would solve the problem. He asked the municipalities to appoint a committee which would continue in frequent sessions to keep in touch with the Government.

Although this was the attitude of the head of the Government, the various Ministries of the Government were apparently adopting another policy, as the following circulars and instructions appear to indicate. The Ministry of Health sent the following circular to all local authorities under date 29th December, 1920.

#### UNEMPLOYMENT

"In view of the widespread depression of trade which prevails in many places at the present time, the Government are anxious that the existing volume of work should be shared, as far as possible, among the whole body of the wage-earning classes.

" In some industries the practice of working short time with the object of providing employment for a larger number of people is well-established ; in others, the nature of the industry may make any such arrangement difficult ; but the Government feel that much can be done to alleviate distress by distributing the existing opportunities for employment among as many as possible, so that the largest numbers may be enabled to earn a portion of their usual wages.

" A system of short time may enable the work to be spread for a longer time over the existing number of those employed and also give employment to some who are now unemployed and may be suitable for the work.

" The distresses of those who are unfortunately unemployed affect local authorities in an acute degree. It is on this account that many local authorities have lately begun operations on various works of public utility and are preparing to do so with respect to many more. In pressing forward these enterprises the Government would urge upon local authorities the desirability of considering at once what re-arrangement can be made to give partial employment to the maximum number of people. It will probably be found in many cases that the question can best be approached in consultation with the trades union concerned, on whose co-operation the Government feel confident they can rely.

" It will of course be recognized that proposals of this kind are not applicable to the skilled branches of the building trade engaged, for example, on house building, in which there is a serious shortage of labour and with respect to which the Government are seeking to secure substantial augmentation.

" It is hoped that no time will be lost in taking the necessary steps. The Government are proposing the application of this principle to the Royal Dockyards and other naval establishments and have planned to do all that Government can do to provide in various ways for those who are out of work, but they look to local authorities as well as to other employers and their workpeople to do what they can to keep the number of wholly unemployed as low as possible."

**Work on the Roads.** Meanwhile, the Ministry of Transport issued further particulars upon arterial and other road schemes and the absorption of ex-service men on the work. The fund available for free grants towards road schemes amounted to

£5,200,000. Generally, a grant of 50 per cent was offered towards the cost of approved schemes, and as most of the local authorities were finding a difficulty in raising money, a loan of the other 50 per cent was also offered. The terms of the loan were interest at Government rate and repayment in five equal annual instalments.

It was intended that not less than 50 per cent of the cost of the works should be expended on wages for unskilled men. Contributions from the fund were confined to areas to which, in the opinion of the Minister of Labour, priority should be given. Immediately an area was notified by the Ministry of Labour a letter was sent to the local authorities concerned asking whether they had in contemplation any schemes for the construction or improvement of arterial roads, such as would give employment to a large number of unskilled men in proportion to the expenditure involved.

At the same time an appointment was fixed for a day or two ahead in order that the scheme might be discussed. Within 24 hours after the appointment, if any suitable schemes had been submitted, a letter was in the hands of the local authority detailing the conditions upon which a grant would be made and asking for work to be commenced forthwith if the local authority agreed.

It was estimated by the Ministry of Labour that 30 per cent should be taken as the proportion of unemployed ex-service men who would be able and willing to do road work. The other considerations governing the approval of schemes were : (1) that they were sound from an engineering point of view ; (2) that, they had reference to an important road ; (3) that the work was necessary ; (4) that not less than 50 per cent of the total cost would be expended on wages for unskilled men.

Outside the metropolitan area 120 schemes of an estimated total cost of approximately £2,750,000 were approved. Work was started on 52 schemes, and the number of unskilled men given employment was approximately 7,760.

**Progress of Relief Works.** The Ministry of Labour also announced that on the new arterial roads more than 8,000 men were at work. The fund available for construction and improvement was £10,400,000. On the improvement and maintenance of main roads and on miscellaneous schemes put in hand by local authorities a large number of men were employed, but

accurate figures were not obtained. On sewers, roads, etc., in connection with housing schemes, the number of men employed on work which had been accelerated to meet the existing situation was 7,000, and it was hoped that an additional 4,000 would be at work shortly. Apart from this acceleration many thousands of men were employed on housing schemes in respect of which grants were made by the Ministry of Health.

**Short Time as a System of Relief.** Simultaneously it was proposed by the Cabinet that, as far as possible, all the industrial establishments of the Government should be placed on short time in order to provide employment for the greatest possible number of workpeople, both to avoid further reduction in the establishment and to absorb some of those whose employment had been terminated. The Government also asked employers of labour throughout the country, including local authorities as well as commercial undertakings, to take a similar course rather than to reduce the number employed by dismissals. An appeal was made to trade unions to co-operate in this endeavour to tide over the period of trade depression. It was hoped by this means to spread the amount of work available over the largest number of people, and thereby not only to avoid further discharges, but also to make it possible for some of those who had been paid off to be re-engaged.

The scheme was explained in the following appeal, which was issued by the President of the Board of Trade, Sir Robert Horne, to Chambers of Commerce—

“ In view of the depression of trade which prevails in many places at the present time, the Government are anxious that the existing volume of work should be shared to the widest extent possible among the whole body of the wage-earning classes. In some districts the practice of working short time with the object of providing employment for a larger number of people is well established ; in others the nature of the industry may make any such arrangement difficult ; but the Government feel that much can be done by employers in general to alleviate distress by distributing the existing opportunities for employment among as many as possible of their employees, so that the largest numbers may be enabled to earn a portion of their usual wages. A system of short time may enable employers not only to spread their work for a longer time over the existing number of their employees,

but also to give employment to some who have already been discharged. The Government therefore ask that all employers should consider at once what re-arrangement can be made to give partial employment to the maximum number of work-people. It will probably be found in many cases that the question can best be approached in consultation with the trade union concerned, on whose co-operation the Government feel confident they can rely. It is hoped that no time will be lost in taking the necessary steps. The Government are already applying this principle in the Royal Dockyards and other naval establishments, and have planned to do all that Government can do to provide in various ways for those who are out of work, but they look to employers and their work-people to do what they can to keep the number of wholly unemployed as low as possible."

Gradually, however, a feeling of dissatisfaction with the system of unemployment donations swept through the country and many expressions of opinion were heard.

At the January, 1921, meeting of the West Riding County Council, a resolution was passed that the county council, recognizing the unemployment problem in the county, and believing that useful work at proper wages was better than allowances without work, instructs the Highways Committee to consider at once the organization of schemes of useful work, such as arterial roads, etc., either by itself or in conjunction with other local authorities. The resolution further urged upon the Government to deal with unemployment maintenance on a reasonable scale for women and men for whom work could not be provided.

The great captains of industry also recognized the evil, for one of them in the course of an address at the London Guildhall at that time, expressed the view that there were only two periods in the life of an individual when allowances and doles could be wisely given. These were before the age of 17 and after the age of 70. Between those ages all doles and grants would prove not a blessing, but a curse, to the recipients.

**London Deputation to the Minister of Health.** In February, 1921, a deputation of guardians of London and Greater London was appointed to wait upon the Minister of Health on the request for Government aid in respect of relief afforded to unemployed. Dr. Addison was accompanied by the Minister of Labour (the Rt. Hon. T. J. Macnamara, LL.D., M.P.), Sir A. V. Symonds,

K.C.B., and Mr. H. W. S. Francis, O.B.E. (Ministry of Health). The deputation consisted of the following : Messrs. T. Scoble and A. Holder (Woolwich Union), C. J. Kelly (Poplar Parish), F. R. Coles (Hackney Union), and the Rev. A. Lawton and Mr. C. H. W. Ward (West Ham Union).

The deputation claimed that they had no desire to shift their responsibilities on to the shoulders of others, but in the emergency that had arisen they asked the Government to make a grant from the Exchequer of 50 per cent of the amount of relief given to unemployed men and women. A member of the deputation also inquired from Dr. Addison, as the late Minister of Reconstruction, what had been done or was being done in putting into operation the various schemes which it was understood had been prepared during the war for dealing with the situation.

Dr. Addison said that he and his department were only too familiar with the sad story of unemployment, and he had spent many hours in endeavouring to find means to mitigate the evils of unemployment and to prevent it. After all was done and said the provision of work by local authorities would only meet a portion of the subject, but if money grants were to be made for works the responsible authority must be called in. This principle was sound, and any other scheme would break down. Lord St. David's Committee were anxious to help and to see that the money allotted to them was expended for the purpose for which it was intended. The continuance of grants of money in any form was demoralizing, and all knew it, and relief given without discrimination was worse. He quoted from a table of figures showing the measure of relief given during the preceding week to unemployed in several contiguous areas. These figures went to prove that relief was given in different areas entirely without uniformity and without any settled practice. It would be quite inequitable to assist one board and not another board who might be affording relief on different principles, and assistance could not be expected except on some well-defined basis. There was, further, an enormous objection to Treasury contributions for relief over which the Government had no control, and the Government were anxious to find a practical alternative. However, the representations and proposals of the deputation would be examined, and he would report to and put them before the Cabinet.

**The State of the Unemployment Registers.** In its monthly review of industrial conditions the official *Labour Gazette* stated that employment continued to decline during January, 1921, and that there were large increases both in the number of workpeople unemployed and in the number working short time. In a few industries, including pottery, brick and cement manufacture, and shale mining, employment continued to be good, and it was fairly good in the building trades. In most of the other industries, however, it was slack, and the tinplate, textile, clothing, boot and shoe, furnishing, and leather trades were especially depressed.

The number of unemployed among members of trade unions (mainly of skilled workpeople), from which returns were received, rose from 6 per cent at the end of December to 6·9 per cent at the end of January, and the unemployed among the 12,000,000 persons insured rose from 5·8 per cent to 8·2 per cent in the same period. In addition, 254,000 males and 383,000 females were registered as working systematic short time at the end of January to such an extent as to entitle them to benefit under the Unemployment Insurance Act or the out-of-work donation scheme. At the end of December, 1920, the corresponding numbers were 186,999 and 260,000.

The number registered at the employment exchanges as unemployed at 28th January, 1921, was approximately 1,065,000, of whom 685,000 were men, 278,000 were women, and the remainder were boys and girls.

In March, 1921, it was stated by the Ministry of Labour that there were then 17,000 men at work on the new arterial roads. In addition, at least an equal number, over and above those ordinarily employed on such work, had found employment on the programme of road maintenance and repair work. Work had been accelerated on the lay-outs and sewers of housing schemes to employ an extra 4,000 men. The Office of Works had put in hand decorating and repair work in Government departments with a view to absorbing painters and similar workpeople to the number of 2,600. Having regard to the fact that some 25,000 painters were unemployed, it was suggested that, wherever possible, work of the character now being put in hand by the Office of Works should be proceeded with by other departments and local authorities.

The short time system, which had been introduced into

establishments under the control of the Admiralty and the War Office, had resulted in the employment of 8,059 men. Further, alternative work in various Government industrial establishments had been provided for 7,994 men. Grants had been authorized in the case of some 110 local authorities for commencing approved works of public utility, and it was expected that the schemes sanctioned would give employment to 19,955 men.

### UNEMPLOYMENT INSURANCE ACT, 1921.

This programme was not sufficient to meet the requirements of the country, and in their haste and alarm the Government introduced on 21st February, 1921, and hurried through all its stages, and passed on 3rd March, 1921, the first Unemployment Insurance Act, 1921.

Briefly summarized, its main provisions were—

SECTION 1.—RATES OF BENEFIT. By amendment of the original Act, weekly rates were raised to 20s. for men, 16s. for women, 10s. for boys, 8s. for girls, and these rates were to be payable from 3rd March.

SECTION 2.—PERIOD OF BENEFIT. These increased benefits were normally payable for 26 weeks (instead of 15) in each insurance year, but the Act provided that in each of two "special periods," viz. 3rd March to 2nd November, 1921, and 3rd November, 1921, to 2nd July, 1922, coinciding with the two periods of probable maximum unemployment, unemployed persons would receive benefit for 16 weeks, i.e. 32 weeks in all.

Any benefit received during these periods was not to count against contributions paid for unemployment. All contributions paid were to be carried forward to the credit of the unemployed person and, in addition, 25 gratis contributions were given in respect of these periods.

SECTION 3.—CONDITIONS FOR THE RECEIPT OF BENEFIT. Qualification for the receipt of benefit in the case of civilians was "proof of employment for not less than 20 weeks since the beginning of 1920," and the condition that "before receiving benefit 12 contributions must have been paid by the applicant" was waived during the "special periods." For ex-service men the qualifying period was 10 weeks, and in the case of disabled men the Local Employment Committee could, at their discretion, dispense with the employment qualification altogether.

No person was entitled to benefit until he proved that he was—

(a) "Normally in employment such as would make him an employed person within the meaning of the principal Act, and

(b) Genuinely seeking whole-time employment but unable to obtain such employment."

CONTRIBUTIONS. Contributions were increased to the following amounts—

	<i>Employed Person.</i>	<i>Employer.</i>	<i>State.</i>
Men . . .	5d.	6d.	2½d.
Women . . .	4d.	5d.	2½d.
Boys . . .	2½d.	3d.	1½d.
Girls . . .	2d.	2½d.	1½d.

the State contribution being equal to one-quarter of the aggregate amount of the other two contributions. These increases were not to be levied until 3rd July, 1921, the opening of the new insurance year.

In Section 2, s.(3) provision was made for reducing these contributions in equal proportions by not more than 2d. if it appears to the Minister that they are excessive.

SECTION 5.—FINANCIAL ARRANGEMENTS. The accumulated surplus in the unemployment fund plus the increased contributions was expected to provide for the increased benefits. The Act, however, provided for Treasury advances out of the Consolidated Fund not exceeding £10,000,000, and gave power to the Treasury to borrow money for such advances by the issue of such securities as the Treasury think proper, the principal of and interest on any such securities to be charged on and payable out of the Consolidated Fund.

DURATION OF THE ACT. It was provided that the Act should come into operation on the 3rd day of March, 1921, and that the provisions of the Act providing for increases in the rates of benefit and in the rates of contribution should cease to have effect on the 1st day of July, 1923.

The remaining sections deal with "provision for enabling associations to make arrangements under Section 17 of the principal Act" and with various minor amendments.

The measure was admittedly an emergency one, not a new Act; but an amendment of the Unemployment Insurance Act,

1920, which has been dealt with fully in Chapter XXVI, and to that extent limited in its scope. It was criticized both as being totally inadequate and as calculated to increase rather than diminish unemployment by offering too tempting inducements to remain idle.

**Effect of Coal Crisis.** On the 31st March, 1921, the coal stoppage began. This immediately had the effect of throwing out of work large numbers of people who were reckoning themselves fortunate in being able to keep in employment during the slump. The large increase in the number of unemployed, added to the already dangerously high total, became alarming, and brought to the fore the whole question of the national policy towards unemployment. At the last available date, before the coal dispute put things out of gear, there were 413,751 people registered at the employment exchanges as in need of work, with a further 827,000 on short time. Of these totals ex-service men account for at least 373,000. It must be remembered, too, that these figures (for March 24th, 1921) are not maxima. There is a proportion of unemployed labour which never troubles the exchanges. These people are not all unemployable, and should, therefore, be taken into consideration when making an estimate of the number of persons unemployed. Various proposals were made for dealing further with the problem which had become so much intensified. As a result of a joint conference of the London Trades Council and the London Labour Party a resolution was passed urging International Peace; the passage of the (Labour Party's) Prevention of Unemployment Bill; maintenance of all persons for whom work was not available at 40s. per week for the head of a household, and 25s. for single men and women; the provision of useful public works, the cost to be met as to 90 per cent from the Exchequer, and 10 per cent by rate on areas benefiting from these works. The works suggested included housing, town planning, slum clearances, new towns or garden cities, schools, electricity supply, passenger traffic development, reclamation of fore-shores, public improvement schemes, port development. The stoppage of overtime also was proposed, except when absolutely necessary.

The result of the further drain upon the resources soon became evident. On 8th November, 1920, when the extended unemployment insurance scheme, under the Unemployment Insurance Act, 1920, came into operation, the unemployment fund stood

at about £22,000,000. On 29th April, 1921, the amount of the fund was about £16,600,000. The total amount paid out of the fund, by way of unemployment benefit and other charges between 8th November, 1920, and 23rd April, 1921, was about £14,500,000. Owing to the increase week by week in the number of unemployed during the past few months, a weekly average of payments would be misleading. The amounts paid by way of unemployment benefit in the weeks ended 9th, 16th, and 23rd April, 1921, were in approximate figures, £1,271,000, £1,445,000, £1,566,000 respectively. To these amounts a weekly sum of about £36,000 should be added in respect of other charges, whilst there is a weekly income accruing of from £340,000 to £400,000, according to the state of employment. By the end of April the unemployment fund was being depleted at the rate of over £1,250,000 a week, and owing to the coal stoppage, this amount was rapidly increasing. By that time the out-of-work donation was being paid instead of unemployment benefit to a small number of ex-service men discharged within the preceding 12 months. The amounts paid in the weeks ended 9th, 16th, and 23rd April were £15,000, £39,200, and £21,750 respectively.

The number of men, women, boys, and girls on the live registers of employment exchanges at 29th April, 1921, was 1,854,000 while, in addition, there were about 1,077,000 persons on short-time working. The corresponding figures at 1st April, 1921, when the coal trade dispute commenced, were 1,506,000 and 884,000 respectively. These figures did not include the mine workers, numbering over 1,000,000, who were employed in coal mines affected by the stoppage.

By the end of May, 1921, the number of the unemployed had reached its highest recorded figure.

Returns issued by the Minister of Labour showed that the live registers of the employment exchanges throughout the United Kingdom, on the 27th May, 1921, contained the names of 2,126,800 persons. Compared with the previous week the figures were as follows—

	20th May.	27th May.
Men . . . .	1,440,995	1,472,000
Women . . . .	481,735	497,900
Boys . . . .	84,725	85,400
Girls . . . .	70,267	71,500
Total . . . .	<u>2,077,722</u>	<u>2,126,800</u>

The above figures were exclusive of short time claimants, who numbered about 1,181,000 on the 20th May, and 1,194,200 on the 27th May.

**Unemployment Books Lodged.** The estimated number of unemployment books and out-of-work donation policies lodged with the unemployment exchanges on the 27th May, 1921, was as follows—

Division.	Males.	Females.	Total.
London and South-Eastern . . . .	230,818	98,756	329,574
North, Midlands and Eastern . . . .	75,167	22,155	97,322
South-Western . . . . .	75,384	16,988	92,372
West Midlands . . . . .	177,721	95,424	273,145
Yorkshire and E. Midlands . . . .	211,435	87,242	298,677
North-Western . . . . .	221,229	107,596	328,825
Northern . . . . .	154,775	15,089	169,864
Scotland . . . . .	174,784	57,628	232,412
Wales . . . . .	138,795	8,170	146,965
Total Great Britain . . . . .	1,460,108	509,048	1,969,156
Ireland . . . . .	86,207	36,669	122,876
Total United Kingdom . . . . .	1,546,315	545,717	2,092,032

**Careful Investigation of Claims.** The Minister of Labour announced that the Ministry had taken every care to deal with cases of abuse of the unemployment benefit which had been brought to light by Police Court proceedings or otherwise, but in the existing state of industry the recipients of unemployment benefit were unavoidably idle, except in a small number of cases. As evidence of the care taken to see that funds urgently needed for people unemployed through no fault of their own should not be dissipated by improper use, a return showed that during the period from the 2nd March to the 13th May, some 90,000 doubtful claims had been referred to the Chief Insurance Officer, who disallowed over 60,000. In about 6,000 of these cases appeal was made to Courts of Referees, who allowed benefit in about 5,000 cases.

Again, out of 935,500 cases dealt with under Section 3 of the 1921 Act—the emergency section—27,000 were rejected by the employment exchanges and 345,000 doubtful cases were dealt with by the Local Employment Committees, who disallowed some 41,000, and allowed benefit for the full period in 175,000 cases, and for less than the full period in 129,000 cases.

By this time it was announced that the Unemployment Insurance Fund was insolvent. The Reserve Fund of about £22,000,000 from the original Insurance Fund of 1911 had been used up and also the Treasury advance of £10,000,000. An amendment to the National Insurance Scheme became imperative.

**Unemployment Insurance Act (No. 2), 1921.** In less than four months the industrial situation entirely upset the basis upon which the Unemployment Insurance Act of 3rd March, 1921, was drawn up. A second Amending Act was hurriedly drafted and passed, receiving its Third Reading in the House of Commons on 28th June, 1921. It was so manifestly an emergency measure that it would obviously need to be amended at the earliest possible moment.

The main changes made were as follows—

1. Benefits reduced in the case of men from 20s. to 15s. a week ; in the case of women from 16s. to 12s., with corresponding reductions for boys and girls.

2. Joint contributions of employers and employed increased in the case of men, women, boys, and girls respectively from 11d. to 1s. 3d., 9d. to 1s. 1d., 5½d. to 7½d., 4½d. to 6½d. The employer's contribution in each case being respectively 8d., 7d., 4d., and 3½d.

3. The waiting period was extended again to six days.

4. The two 16-week periods of benefit laid down in the recent Act were to be extended by not more than six weeks each.

5. The provisions of the 1920 Act with reference to special schemes for particular industries, i.e. "contracting out," were suspended.

6. The borrowing power of the fund was increased from £10,000,000 to £20,000,000.

All amendments to alter the proposed reduction of benefits failed. The Minister of Labour acknowledged that the extension of the waiting period bore hardly on dockers, miners, and others engaged in labour of an intermittent character, and promised to draw up an amendment giving power to frame regulations applicable to particular industries. He also agreed, after an amendment on the point had been defeated, to take up at a later date the question of men thrown out of employment through strikes or lock-outs in which they were not directly concerned, and who, under present conditions, are ineligible for benefit. A new section was added to the Act "that where an insured person

was deprived of benefit because of a refusal to accept what was considered suitable employment, a right should be given to have his case reviewed after six weeks' interval, if still unemployed."

The section suspending the power to contract out was modified by an amendment providing that the section shall not apply in cases where, before 8th June, 1921, a draft scheme had been submitted to the Minister for approval.

A settlement of the coal dispute was reached on the 29th June, 1921, and the miners returned to work.

### **UNEMPLOYED WORKERS' DEPENDANTS (TEMPORARY PROVISION) ACT, 1921.**

This Act was the result of the continued depression which the coal dispute had helped to foster. In accordance with the provisions of this Act, temporary grants were made during a period of six months from 10th November, 1921, to unemployed workers who were in receipt of benefit under the Unemployment Insurance Acts, 1920 and 1921, towards the maintenance of their wives, dependent husbands, and dependent children. For this purpose a special fund known as the Unemployed Workers' Dependants Fund was established by contributions from employers, employed persons, and the State, in respect of every employed person who was liable to be insured under the Unemployment Insurance Acts, 1920 and 1921. Persons desiring to obtain a temporary grant were required to attend at the Employment Exchange where they were receiving or claiming unemployment benefit, and to complete a form of application. The statements made by the applicant required confirmation by a declaration signed by a responsible individual. The decision as to a grant rested with the Minister of Labour, whose decision was final and conclusive and not subject to appeal to any court. Any application might be referred by the Minister to a Local Employment Committee, to which reference is made in Chapter XXVII.

### **UNEMPLOYMENT INSURANCE ACT, 1922.**

The contributions and benefits under the Unemployment Insurance Act (No. 2), 1921, and the Unemployed Workers' Dependants (Temporary Provision) Act, 1921, were amalgamated by the Unemployment Insurance Act, 1922.

## CHAPTER XXXI

### SUMMARY AND CONCLUSION

#### POOR LAW.

IN the preceding pages there has been considered the development of the Poor Laws from early times to the present day, together with the rise of the philanthropic movements which have tended to be replaced by social legislation. This latter has become a characteristic feature of the twentieth century.

**Paupers Receiving Relief.** Since the passing of the Poor Law Amendment Act, 1834, the number of paupers receiving relief in England and Wales has steadily declined with an occasional fluctuation, as shown by the following figures—

1849	.	.	.	.	1,637,523
1858	.	.	.	.	1,087,985
1862	.	.	.	.	1,070,374
1870	.	.	.	.	1,279,499
1875	.	.	.	.	1,002,475
1883	.	.	.	.	1,007,598
1888	.	.	.	.	1,031,527

During the past 25 years the improvement has been even more manifest as is shown in the table given on page 312, taken from the Report of the Ministry of Health, 1919-1920. For the reasons which were explained in the previous chapter, unemployment increased rapidly in 1921, so that the number of persons reached 1,243,042 on the 24th September. There were substantial increases during the next six weeks, till the number reached the record of 1,519,823 on 5th November, followed by a decrease to 1,363,569 on 31st December, 1921.

**Remedying Abuses under Old System.** The Royal Commission on the Poor Laws and Relief of Distress reported in 1909, and from that date the question of the future of Poor Law administration in this country has been actively canvassed. The Liberal administration of 1906 to 1914, which passed many of the social Acts, recommended by both the Majority and Minority Commissioners, failed to enact legislation which would have had a very far-reaching effect on the administration of the Poor Law Amendment Act of 1834. This was due in part to the differences between the Majority and Minority Reports of the Royal Commission, and in part to the policy of the President of the Local Government Board at that time, Mr. John Burns. It was Mr. Burns' object to accomplish by administrative methods,

# STATEMENT SHOWING THE MEAN NUMBERS OF PERSONS IN RECEIPT OF POOR LAW RELIEF IN ENGLAND AND WALES, AND THE RATES PER 1,000 OF THE ESTIMATED POPULATION: YEARS 1895-96 TO 1919-20

Year ended March.	Mean Number of Persons (not being Lunatics in County and Borough Asylums, Registered hospitals, and Licensed Houses, or Casuals) in Receipt of—					Mean Number of Persons in Receipt of Relief (including Lunatics in Asylums, etc., and Casuals).		
	Institutional Relief.		Domiciliary Relief.		Total.	Mean Numbers.	Rates per 1,000 of Estimated Population.	Rates per 1,000 of Estimated Population.
	Mean Numbers.	Rates per 1,000 of Estimated Population.	Mean Numbers.	Rates per 1,000 of Estimated Population.				
1896	203,515	6·7	539,592	17·7	743,107	813,300	24·4	26·7
1897	203,004	6·6	535,247	17·4	738,251	810,190	24·0	26·3
1898	205,102	6·6	530,336	17·0	735,438	809,306	23·6	26·0
1899	207,889	6·6	542,822	17·2	750,711	827,066	23·8	26·2
1900	206,083	6·5	505,098	15·8	711,181	788,473	22·3	24·7
1901	203,924	6·3	494,251	15·3	698,175	777,097	21·6	24·1
1902	212,936	6·5	502,125	15·4	715,061	797,243	21·9	24·4
1903	220,959	6·7	510,594	15·5	731,553	817,697	22·2	24·8
1904	229,035	6·9	516,036	15·5	745,071	832,454	22·4	25·0
1905	239,894	7·1	547,445	16·3	787,339	878,514	23·4	26·1
1906	247,758	7·3	549,796	16·2	797,554	891,637	23·5	26·2
1907	250,544	7·3	542,160	15·8	792,704	886,886	23·1	25·8
1908	255,958	7·4	540,098	15·6	796,056	892,972	23·0	25·7
1909	267,130	7·6	550,878	15·7	818,008	916,245	23·3	26·1
1910	275,075	7·8	539,642	15·2	814,717	916,377	23·0	25·9
1911	275,070	7·7	507,921	14·2	782,991	886,177	21·9	24·8
1912	267,426	7·4	408,106	11·3	675,532	780,329	18·7	21·6
1913	265,410	7·3	411,575	11·3	676,985	783,916	18·6	21·5
1914	254,824	7·0	387,208	10·6	641,832	748,019	17·6	20·4
1915	252,525	6·8	391,915	10·6	644,440	752,040	17·4	20·3
1916	225,767	6·1	364,989	9·8	590,655	695,600	15·9	18·7
1917	213,447	5·7	327,663	8·7	541,110	642,463	14·4	17·1
1918	199,422	5·3	302,431	8·0	501,853	596,163	13·3	15·9
1919	184,167	4·9	285,237	7·6	469,404	555,639	12·5	14·8
1920	180,927	4·8	297,834	7·9	478,761	563,045	12·7	15·0

rather than by legislation, many reforms which the Royal Commission showed to be necessary. He succeeded, with the co-operation of the Boards of Guardians, in remedying many abuses which existed under the old Poor Law system, particularly the mitigation of the evils of the mixed workhouse. The culmination of the administrative reforms which Mr. Burns hoped to effect by agreement was to be the reduction in the number of Unions and, consequently, in the number of Boards of Guardians. The War interrupted these reforms and led to the appointment of the Committee of the Ministry of Reconstruction, which recommended in January, 1918, the abolition of Boards of Guardians and the adoption of certain of the proposals of the Minority Report of the Royal Commission of 1909. These recommendations were in part incorporated in the Ministry of Health Bill, 1920, which was defeated in the House of Lords in the December of that year. One reason why Boards of Guardians all over the country objected to that Bill was that it introduced a complicated system of duplicate administration whereby in some areas the provision for the sick poor would remain with the guardians as heretofore, while in other areas it would be made by the county council.

### PUBLIC HEALTH.

**Growth of Public Health Administration.** Side by side with this movement has been the growth of public health administration. The beginning of the development of the public health services arose out of the efforts of the Guardians of the Poor, inspired by the reports issued by the Poor Law Commissioners appointed in 1834, and owed much to the efforts of Edwin Chadwick. It was very largely owing to their initiative, and to certain developments which they encouraged, that their proposals ultimately found their way on to the Statute Book in the Public Health Act, 1875. From that time there has gradually grown up, intimately associated with the developments of medical knowledge, a system of preventive services. After 1875, and particularly more recently, the efforts of those concerned with the development of health services have been directed to diminishing the number of the so-called irreducible minimum of the sick. They could reduce the size of that factor only by preventing disabilities arising, and therefore a proper scheme of health services for this country should be based upon the prevention of disease. The

local authorities deal with all manner of questions affecting the surroundings of the individual, his home, water supply, drainage, etc. The whole governing idea was the prevention of disease and sickness ; but it was manifest from the beginning that this scheme of service, though chiefly affecting the poor, benefited not merely a part but the whole of the community. Apparently, then, any system based upon prevention would have to be directed towards meeting the needs of the community, whether they were poor or not. Later on there came into being a large number of specialized departments, the outcome of advances in medical knowledge. Without, however, a proper combination and direction of such services they would not prevent disease. Such was the beginning of a system of public health services, a system which must inevitably take a generation or more to become effective in the prevention of disease.

**Infant Life.** What has been accomplished can best be illustrated by studying the question of Infant Life. This work has been dealt with principally through the Notification of Births Acts, 1907 and 1915, the Children Act, 1908, the Maternity and Child Welfare Act, 1918.

The death-rate of infants under one year of age per 1,000 births during the years 1914 to 1920 was as follows—

1914	.	.	.	.	.	104·62
1915	.	.	.	.	.	109·72
1916	.	.	.	.	.	91·21
1917	.	.	.	.	.	96·5
1918	.	.	.	.	.	97·16
1919	.	.	.	.	.	89·13
1920	.	.	.	.	.	80

The figures for 1920 were the lowest yet recorded in England and Wales. The average at the beginning of the century was about 150 per 1,000. It is difficult to estimate how much of this improvement is due to the regular incomes of the mother during the father's absence on war service, and to the systematic visitation on behalf of the Soldiers' and Sailors' Families Association and similar organizations.

**Care and Treatment of Sick Poor.** It must not be forgotten, however, that a great deal of the advance in connection with public health administration owes much to the initiative of the Boards of Guardians. Of all the services entrusted to Boards of Guardians, in no direction has greater development taken place since 1834 than in connection with their great and humane work of ameliorating the lot of the sick and suffering.

This branch of their work has been inaugurated and developed very largely as a result of the direct initiative and foresight of members of the Boards of Guardians, as has been illustrated by the work of the late Mr. William Rathbone, of Liverpool. Thus, this important work of the care and treatment of the sick poor has grown and developed into a completely organized hospital service at the hands and instigation of Boards of Guardians, and practically without legislative incentive. The foundation for the treatment of the sick poor was the inauguration, by the Metropolitan Poor Law Act, 1867, of the Metropolitan Asylums Board. The movement spread to the provinces, where a great stimulus was concurrently given to the general improvement of institutional and hospital provision. It is to the credit of the Boards of Guardians that the progress thus initiated has continued with the advance of medical science, and, coupled with the growth of reasoned public opinion, has to-day imparted to the expressions "actual necessity" and "destitution" a meaning which was quite unknown to the Poor Law Commissioners of 1834. In no direction does this apply with more force than in respect to the hospital branch of Poor Law administration. Poor Law hospitals and infirmaries now have no fewer than 94,000 beds directly available for the sick poor, i.e. appreciably more than all the sick beds of the voluntary and municipal hospitals put together. Thus, whilst local sanitary authorities have been directly empowered for a great many years by statute to provide general hospitals for the sick, including medical assistance for the poorer inhabitants, they have been content to allow these powers to remain dormant, leaving this most essential work to be carried out by the Boards of Guardians, who have thus made good the shortcomings of the local sanitary authorities. The 1,800 local sanitary authorities who were specially authorized to provide hospitals for the sick, as well as for infectious cases, had managed to provide approximately 40,000 hospital beds (or an average of but 20 beds each, and these practically wholly for infectious diseases), whereas the 637 Poor Law authorities have provided 94,000 hospital beds. In the case of several services covered by recent Acts (viz., sanatorium provision, accommodation for the feeble-minded, maternity, child welfare work, etc.), the Boards of Guardians of the country have anticipated legislation and have already dealt with these matters in an active and progressive manner, as the earlier chapters have shown.

## LEGISLATION AND INDIVIDUALITY.

While giving all due credit to these authorities for their administration, it should not be forgotten that there are other aspects of the question demanding consideration. We have entered upon an era of legislation which, as has been observed in the preceding pages, has opened up an epoch of social amelioration. Provision of meals, medical inspection and medical treatment for school children, has been followed by old age pensions for the aged, employment exchanges, trade boards, health insurance, and unemployment insurance for workers. These Acts all indicate that the State is now undertaking consciously, or otherwise, a form of legislation which, unless it is carefully watched, may remove responsibility from the individual and result ultimately in his losing all force of character and all desire for self-improvement and development. It is possible to become too maternal. It is possible for social legislative provision to be more than adequate. Legislation which takes away individuality, or in any way tends to cause the individual to lose sight of his responsibilities, instead of being a blessing, becomes a curse, and generally is worse than that which it is intended to cure. Social legislation must be carefully framed and still more carefully applied. The preceding chapter furnishes a good example of the effect of such legislation.

## EMPLOYMENT EXCHANGES.

Throughout the War, and especially since the Armistice, the employment exchanges have been through a period of testing. On the whole, they may be said to have come through the trial satisfactorily. It has, however, been maintained that, taken in connection with the State unemployment benefit, they have encouraged strikes and unemployment at a huge administrative cost. It is also suggested that the public little realize the millions the system has cost them, the efforts which have been required to justify the existence of employment exchanges, the pressure necessary to cause their use, the huge present and future expenses they entail, and the bad effect which the system has produced. It has been claimed that before the passing of the Labour Exchange Act, 1909, matters were quickly shaping towards the recognition and support of the principle that employers must accept some responsibility for their unemployed; that every

industry ought to regulate its business so as to reduce unemployment to a minimum, and that the cost of maintenance for those for whom no employment could be found should be a charge upon the industry. As it is, employers are encouraged by the very system of employment exchanges to accept no responsibility for continuance of employment of the workmen in their industry. Employment exchanges encourage employers to come to them for workmen. As soon as it suits the employer's interests the workers are thrown back upon the State, and the State maintains them until another employer finds it to his interest to seek their services.

There are, undoubtedly, several administrative matters which demand immediate attention. The Local Employment Committees, which have been referred to at length in Chapter XXVII, are in many respects useless. They require further executive powers, with the right to act on their own initiative. Their work is considerably handicapped by reason of slow departmental decisions. There is still a weakness in the classification of men with the result that many employers get so tired of getting round pegs for square holes that they give up the employment exchanges in despair. In this respect the exchange officials can learn much from the trade unions.

### JUVENILE EMPLOYMENT COMMITTEES.

While the work of the employment exchanges has been subjected from time to time to stringent criticisms, the Juvenile Employment Committees have not entirely escaped these strictures, in spite of the devoted service which many of them have given. Complaints have been made that insufficient steps have been taken to discover new openings in trade, that inadequate staffing has discouraged investigation, that after-care arrangements have merely involved supervision by voluntary visitors in the home, and that few inquiries have been made of employers.

The possibility of a period of depression after the close of hostilities was anticipated in the final report of the Departmental Committee on Juvenile Education in relation to employment after the War. Witnesses urged the importance of a higher school-leaving age, as minimizing the competition of juveniles. The Workers' Educational Association advocated a system of half-time employment and part-time education for all young people between school-leaving age and 18 years, on the lines of

the Minority Report of the Poor Law Commission, 1909, to which reference is made in Chapter XIX. A considerable proportion of the members of the Departmental Committee found a possible solution of the problem of juvenile unemployment in a more direct co-operation between local education authorities and employers. They desired that the exercise of powers by local education authorities under the Choice of Employment Act, 1910, should be compulsory, and that such matters as conditions of work, type of employment, hours, and prospects, and the provision of information, advice, and assistance, to both employers and juveniles, should devolve upon the local education authorities.

**Courses of Instruction.** The problem of juvenile unemployment became acute during the winter of 1920. By the end of February, 1921, the Ministry of Labour reported 107,600 juveniles registered as unemployed at the employment exchanges of the United Kingdom. A number of Juvenile Employment Committees concerned themselves with the provision of educational and recreation centres, similar to those set up immediately after the Armistice, in an attempt to mitigate the grave dangers attending the presence of large numbers of unemployed juveniles in the streets.

In order to extend this work, the Minister of Labour issued Unemployment Insurance (Courses of Instruction) Regulations, 1921, by which attendance at approved courses of instruction may be made a condition for the receipt of unemployment benefit. Local education authorities were informed that, wherever unemployment among juveniles had reached serious dimensions and centres of instruction for juveniles were established with the approval of the Board of Education, half the expenses would be met by the Board, the other half to be defrayed by the local authority.

The Ministry of Labour may require a juvenile between the ages of 16 and 18 to attend a course as a condition of payment of unemployment benefit. In the case of those between 14 and 16 no such inducement could be urged, for no unemployment benefit is payable, and employers were asked to notify any vacancies for juvenile labour (from 14 to 18 years) to the local employment exchange, so as to give an incentive to workless girls and boys of 14 and 15 years to join the courses.

It was unfortunate, however, that these Regulations were held

back so long by the departments concerned. In at least one industrial centre, where the Local Education Committee had readily co-operated with the Juvenile Employment Committee, the want of departmental approval led to the abandonment of the scheme, whereas the approval for the abandoned scheme arrived the following week. These regulations should become compulsory and should be put into operation by the local authorities without waiting for the approval of the Central Authority which, after all, knows very little of local conditions.

The courses of instruction must, however, receive very special attention. The whole scheme would prove fruitless if the pupils came merely because attendance is a condition of unemployment benefit. The aim would not be the acquiring of definite knowledge so much as the securing of interest. This is a very difficult task with such pupils, and one requiring teachers with special qualifications with a view to approaching the study of Citizenship with the right perspective. For in this connection it is not the acquirement of knowledge, *per se*, but as a means of developing independence, love of beautiful things, and the recognition of the importance to a community of even the most humble occupation.

### CHOICE OF EMPLOYMENT COMMITTEES AND JUVENILE ADVISORY COMMITTEES.

It is anticipated that the unfortunate differences of opinion between the authorities concerned as to the administration of Choice of Employment Committees and Juvenile Advisory Committees are now in a fair way to be removed.

In 1921 this question, which had hampered the industrial and educational welfare of juveniles, was remitted by the Cabinet to an independent adjudicator. After hearing considerable evidence, Lord Chelmsford reported in October, 1921, and submitted his proposals for the future administration of Juvenile Employment Bureaux. Lord Chelmsford's proposals abandoned the Joint Memorandum of 1911, and recommended that Education Authorities should exercise their powers under the Choice of Employment Act, and that the decision to act under this authority should operate for a period of five years. He considered it both difficult and undesirable to separate the general administration of the Unemployment Insurance Acts, as they affect boys and girls under 18 years of age, from the general work of Juvenile

Employment Committees, and Education Authorities therefore desiring to work the Choice of Employment Act will undertake the administration of Unemployment Insurance. The cost of this part of the work will be repaid by the Ministry of Labour, and this will naturally involve the observance of the general regulations made by the Ministry of Labour under the Unemployment Insurance Acts.

General satisfaction is given both parties in Lord Chelmsford's final recommendation for the Ministry of Labour and Board of Education to establish—

“ a small Standing Inter-Departmental Committee to discuss questions bearing on the conditions of juvenile employment generally, as well as individual difficulties which may arise, as, for instance, those involved in the necessity for co-operation in placing juveniles between Committees in adjoining areas, and to supervise the collection of industrial information from, and the distribution of industrial information to, Committees of both types.”

Some of the difficulties which have arisen in the past have undoubtedly been due to the lack of some kind of co-ordinating machinery between the two authorities, which has led each authority to pursue an unrelated policy lacking perhaps in a broad national significance. This Standing Committee could very usefully serve the interests of Choice of Employment Committees and Juvenile Advisory Committees in the area in which Ministry of Labour Committees were constituted, by surveying the main facts of particular industries from the special point of view of juvenile employment, by correlating facts and statistics, and by the making of special enquiries into conditions of juvenile labour. Such information would be extremely valuable to After-Care workers and the officers of the Juvenile Employment Committees, and such a body should prove very useful and valuable in the guidance of Juvenile Employment Committees all over the country.

## CONCLUSION.

It remains, therefore, to consider the conclusions which may be drawn from the problems that have been brought under review. It is a question for discussion whether the best results have been attained by the Government in allowing the enormous increases in the cost of commodities, with the corresponding

rise in the rate of wages, interest, and profits. It may be asked whether a standardization of wages and of rates of interest as in July, 1914, would not have been the better means of meeting the increased cost of living. The differences might have been borne by the State as part of the cost of the great War by means of a system of costings. At least it would have had the effect of preventing much of the profiteering and excess profits, which more than anything else have contributed to the unrest among the workers and encouraged them in their turn to develop a method of under-production, which is but another form of profiteering.

Again, we must consider the effect of the system of out of work donations, which was introduced by the Government after the Armistice. For many reasons, the organization on a national basis of works of construction would have been much more desirable, even at a cost beyond what may be considered an economic return. These would have necessitated the employment of large numbers of men and women. As has been shown, these proposals were under consideration in the early days of 1916.

The debasing effects of the scheme, which inevitably degenerated into a system of doles, is indicated in the figures of the claims rejected, as shown in the statement of the Minister of Labour quoted before. It is doubtful how this could in any way help to relieve the situation unless employment improved. Under the conditions which existed, neither employers nor employed could afford to pay the contributions, and it led to employers who were keeping large staffs on short-time being obliged to discharge workers to avoid the disproportionately high cost of insurance. This only added to the unemployment problem.

It is, however, in regard to the effect on character that this subject demands close consideration. Thousands of men, women, and adolescents have drawn their out-of-work allowance at rates in excess of the wages which they were earning when in actual employment. There are many instances of work being actually refused because the recipient preferred the unemployment allowance. There never was a time when the test of work was more to be desired. Experience has shown that in the large industrial centres thousands of persons have been in receipt of public assistance who could have been quite well shaken off if offered work. The system adopted was about the most demoralizing that could have been introduced. The experience of

social administrators goes to prove that the labour test provided by the Distress Committee is a very effective and necessary weapon for dealing with the loafers and idle beggars who still abound. This is the reason for the full treatment of the Unemployed Workmen Act, 1905, in Chapter XXVI.

To pour out unemployment benefit at a great rate in the circumstances which have presented themselves solved no problems and merely enabled the country to stagger along in a helpless sort of way. For the individual it was debasing. More especially is this so with young men and women without domestic ties and responsibilities, who are quite content with the normal allowance to maintain mere physical existence.

Unemployment adds to but does not make all unemployables—those who do not want work and will not look for it. While it has been distressing in the case of the adults it has been more so with those in the adolescent stage. The degeneration has been apparent at all ages. It has been most marked in those juveniles who have come from better class homes and apparently had a better education. While relief works may be economically unsound, the schemes established under the Unemployed Workmen Act, 1905, had much to commend them in that they enabled a man to give some service in return for his maintenance and produced work of permanent value to the community. The method of doles to the unemployed without remunerative return has been both disastrous and degrading. It has made those in receipt of the allowance less eager and willing to seek work.

**Schemes Available.** It cannot be said that there were no schemes available. The roads are fast outstripping the railways as means of transport. No large scheme of main arterial roads has been produced for more than a hundred years. The schemes in hand at present should have been hastened and developed a hundred fold. Within a short distance of where this is being written, an abandoned scheme commenced by a local authority in 1916 still remains in its unfinished state, to the inconvenience of traffic, both vehicular and pedestrian. This is typical of the inertia of our local authorities. Coast reclamation, systems of afforestation, drainage and other national schemes should have been taken in hand.

It is an extraordinary characteristic of the British nation that, while she has lavished millions of money on irrigation schemes in India, and given the best engineering skill to such undertakings

as the Assuan Dam in Egypt, her domestic requirements are allowed to languish because of the natural conservatism of the race. Year after year the Severn invariably overflows its banks, to the discomfort, illness, and premature death of the inhabitants of even county towns, such as Shrewsbury. Further up the valley, in the county of Montgomery, between Oswestry and Welshpool, the river, which in the summer can be forded with ease in certain places, overflows. Cattle, sheep, and horses are wiped out of existence without warning in a few hours. Farms become isolated and cottages surrounded by water, accompanied often by serious risks to life and property. The same applies to parts of the valley of the Thames and the districts round the Wash. This state of affairs has existed for generations and is considered as part of the inconveniences of living in the districts. Public opinion is hard to arouse. Yet a national scheme for impounding this surplus water during the winter months would do much to improve the amenities of life, and at the same time enhance considerably the value of the land in both urban and rural areas. Such schemes as these are what the Government should undertake at times of industrial depression through which the world is now passing.

The Report of the Royal Commission on Afforestation is still in great measure a dead letter. The war made a great inroad on our parks and woodlands by the necessity, owing to the stoppage of foreign supplies of timber, of cutting down trees for home requirements. Not merely to restore but greatly to increase our timber reserves must be a task of great responsibility. Many suitable parts of the country, otherwise unsuitable for the growing of crops, might be planted with pine, fir, larch, birch, beech, and other forms of arboreal strength and beauty, so as to contribute not only to the attractiveness of the countryside but as a source of economic utility.

"The value of our imported timber and woods in 1913 was about £30,000,000; in 1919 it was £72,000,000; and in 1920 the figure was put at no less a sum than £100,000,000.

"Yet it is acknowledged that the conditions of soil and climate here are such that much of this timber can be produced at home."

The finance of our housing schemes could have been placed nearer an economic level if certain essential parts of houses had been standardized. These parts could have been manufactured

in what were formerly munition factories, and by this means the Light Casting and other manufacturers' Rings could have been broken. These Rings have contributed considerably to prevent the erection of the half-million houses which are the minimum of our requirements. In this way many men and women would have obtained employment, while the nation as a whole would have been better housed and there would have been less distress and industrial unrest.

Such a policy would have developed home markets, at a time when foreign markets were closed. It would have given the confidence necessary for the resumption of trade which is the true basis of employment in the industrial sphere.

**National Mistrust.** Nothing would contribute more readily to allaying the industrial unrest than a realization by the worker of a desire on the part of the Government to face these problems with sincerity.

It is claimed that among the causes which have led to industrial unrest has been the deficiency of the educational system, which has tended to make people perceive the differences in the circumstances of different classes of people, while very little attempt was being made to give them an insight into the real conditions underlying the community's social and economic well-being.

**Educational Faults.** While this is true, there are nevertheless weaknesses in other directions. It is probably true to say that one of the reasons why there has been no outburst of public indignation against the holding up of the Day Continuation Schools under the Education Act, 1921, is to be found in the frequently expressed opinion that the class of scholar produced by the present system of elementary education is not an adequate return for the millions that are lavished upon it. Much of this waste is due to home conditions which counteract the work of the school. The parent requires educating, and the demand for adult education must be fostered and encouraged. There is little desire at present on the part of the average worker for the improved education of his children, or for his own advancement.

There are faults also in the realms of higher education. Some of our modern universities are situated in the midst of vast industrial centres, and rightly so. They are surrounded by conditions both repugnant and debasing. And yet their staffs go blindly on their way apparently oblivious of the scenes of

crime and immorality with which they are surrounded and which it is within their power to prevent or mitigate. Our universities still remain, like our public schools, in many respects, closed academic corporations, which the University Settlements have done little to reclaim. The reason for this is a want of appreciation of the difficulties of existence which a purely academic training tends to foster and encourage.

One of the weaknesses of the working man is his unwillingness to serve the community. He is prepared to take but he will not give even of his time for the service of his fellow men. The reason for this lies in defective education. Democracy is as inconsistent to-day as the Athenian democracy which condemned Socrates. At the time of writing the news is reported of the suicide of the assistant secretary of an important trade union, as the result of overwork—and not the first illustration of its kind. Yet these trade unionists demand for themselves an eight-hour working day, while their leaders give proof day by day of their overwork and long hours in the interests of labour.

**The Country's Need.** And so it remains for us to realize that, as Mazzini has said : " It is round the standard of duty, not that of self-interest, that man must fight to win the rights of man." Never in the history of the world had man more need of the revelation. And since we have for the moment little lead from the Churches, we must turn elsewhere. Never since the days immediately succeeding the Napoleonic wars have men needed so urgently such a lead from our economists, publicists, and statesmen. And yet, with but few exceptions, these have remained silent at a time when they ought to have spoken. This defect is in part compensated for in the Tutorial Class movement, into which many of the younger school of academic teachers are throwing themselves with increasing vigour. But there must be an understanding of the principles which underlie these studies.

The sphere of economics is sometimes claimed as controlled by laws which are quite indifferent to ethical considerations. Economic laws in fact are sometimes thought of as being as inexorable and unchangeable as natural laws, demanding complete submission whatever the ethical demand may be. But the metaphors of ordinary " exact " sciences do not apply fully to the sphere of economics. For economics as a science is not concerned with physical or chemical processes, but with human activities, and the motives and purposes which lie behind these. All

human life is subject to those moral laws with which ethics as a science is concerned. Antecedents have their consequents in human activities as in physical or chemical processes ; but these activities are not themselves merely the results of previous conditions, but are freely willed, and ought, therefore, to be rightly willed. In industry and commerce a man is no less under moral obligation than in his domestic or social relations. A man does not become a tool or a hand in wealth-producing, but remains an individual. Employer and employed, producer and consumer, are in personal relations, and these are, and must be, subject to moral laws. This is true not only nationally, but also internationally.

**The Gospel of Service.** Especially should this be remembered in the stage of transition which surrounds us. A new vision must come to men of what industrial and commercial relations should be, and obedience to that vision must involve service and sacrifice. To act on higher principles than rivals in business may involve disadvantage. To do one's duty as a servant may result in financial loss and less frequent promotion. It may be needful for a man to be less rich, or even not rich at all, that he may be more kindly in his dealings with his workpeople, his customers, and his colleagues. It is a law of all human history that by suffering progress is secured. The economic restoration of the world will involve the economic sacrifice of some of the pioneers in the new and better paths of moral progress in industry, commerce and social administration. But if men be ready to make sacrifices for the safety of a nation from its material foes, why should it be thought strange that they should be willing to suffer for its deliverance from the moral enemies of class interests and mistrust which threaten its unity and stability ? For the gospel of service lies not only in sentiment. It is grounded in the evolution of the race—so far, in fact, that it is difficult sometimes to disentangle it from what we know as selfishness. Of the latter there are two kinds, good and bad. Service is a " good " kind of selfishness. But the instinct of the race shows a willingness to sacrifice individual interest and life in the interests of the group. Self-preservation is thus secondary to the preservation of the race. Here, then, is the lesson from Nature—that service is the only means of preserving the life of the group, and the life of the group is the only means whereby the life of the individual can be maintained. And this service demands sacrifice.

We have lived in recent years too much in the world of materialism. We have failed to realize that man shall not live by bread alone. The joy of service is no longer ours. To be great we must give of ourselves, must rise above self interest, and as Henry Montagu Butler so finely expressed it—

Build for the future ; let thy children say  
" His mind was finely toned and firmly set " ;  
But look around thee, nor be slow to pay  
The present debt.

The " vision and the faculty divine "  
Come not by dreaming ; he whose eye is clear  
To read the present reads the future sign,  
The truest seer.

So shall we find in service, which is the attribute of economic progress, the attainment of the better life and a higher and a nobler citizenship.



# APPENDIX A

## COMPARISON OF ENGLISH AND SCOTTISH POOR LAWS

### *Historical*

Date.	ENGLISH.	SCOTTISH.
1388	12th Richard II—"Important to Serve."	—
1424	—	Vagrancy Act.
1449	—	Do.
1455	—	Do.
1457	—	Do.
1478	—	Do.
1489	Limitation of Enclosures.	—
1503	—	Impotent licensed to beg.
1530	Punishment for Begging.	—
1535	—	Law of Settlement.
1536	Abolition of Monasteries—Begging Prohibited.	—
1547	Vagrancy Act—Collectors of the Poor.	—
1551	Act to appoint "Collectors."	—
1563	Statute of Apprentices—Compulsory Assessment.	—
1572	Act for the Punishment of Vagabonds.	—
1579	—	Poor Law Act.
1592	—	Kirk Session given power to nominate Justices.
1597	—	Kirk Session administer Poor
1600	—	Presbyteries supervise. [Laws.
1601	43rd Elizabeth.	—
1609	—	Justices of the Peace created.
1617	—	Do. power over vagrants.
1661	—	Do. management of poor.
1662	Act of Settlement.	—
1663	—	Forced Labour in Factories.
1672	—	Kirk Session to act with Heri-
1685	Act of Settlement.—Notices.	— [tors.
1691	Do. Church Notice.	—
1697	"Workhouse" at Bristol.	—
1723	Workhouse Test.	—
1782	"Gilbert's Act."	—
1795	Repeal of Act of Settlement— "The Speenhamland Act."	—
1796	Repeal of Workhouse Test.	—
1801	Justices made Rating Authority.	—
1809	Bastardy Acts.	—
1810	Do.	—
1819	Select Vestries.	—
1828	Lunacy Act.	—
1832	Appointment of Royal Commission.	—

Date.	ENGLISH.	SCOTTISH.
1834	Poor Law Amendment Act.	—
1845	—	Poor Law Amendment Act. Board of Supervision. Parochial Board.
1857	—	Lunacy Act—District Lunacy Board.
1861	—	Act reduced rating power of Parochial Board.
1865	Union Chargeability Act.	—
1871	Local Government Board.	—
1886	—	Poor Law Loans and Relief Act
1894	Local Government Act. District Councils. Parish Councils. Parish Meetings.	Local Government (Scotland) Act. Local Government Board Parish Councils.
1913	Mental Deficiency Act.	The Mental Deficiency and Lunacy (Scotland) Act.
1919	Ministry of Health.	Scottish Board of Health Act.

### *Constitution and Administration*

ENGLISH.	SCOTTISH.
Ministry of Health. Boards of Guardians. Guardians. Clerk to the Guardians. Relieving Officer. Relief and other Committees. Master. Matron. Medical Officers. Chaplains and other Officers. Visiting Committee of Lunatic Asylums.	Scottish Board of Health. Parish Councils. Parish Councillors. Inspector of Poor. Assistant Inspector of Poor.  As in England and Wales.  District Lunacy Board.

### *Finance*

ENGLISH.	SCOTTISH.
Poor Rate. Accounts Yearly to 31st March.	Poor Rate. Accounts Yearly to Whitsunday (15th May).
Audit by District Auditor of the Ministry of Health.	Audit by Professional Auditors, appointed by the Scottish Board of Health.
Loans subject to Approval of the Ministry of Health, limited to one-fourth of the rateable value.	Loans subject to Approval of the Scottish Board of Health, limited to one-fifth of the Poor Law annual value.

# APPENDIX B

## PROPOSALS FOR REFORM OF THE POOR LAWS AS CONTAINED IN THE

REPORTS OF THE ROYAL COMMISSION ON THE POOR LAWS AND  
RELIEF OF DISTRESS, WHICH REPORTED 4TH FEBRUARY, 1909

### *I.—Unanimous Recommendations.*

- (1) Abolition of Boards of Guardians.
- (2) Enlargement of the area of administration from the Union to the County and County Borough.
- (3) Classified Institutions instead of the General Mixed Workhouse.
- (4) Charitable Aid to be organized.
- (5) Improved Administration of Out Relief.
- (6) Old Age Pensions.
- (7) Children to be removed from Workhouse.
- (8) Labour Exchanges to be established.
- (9) State Insurance against Sickness and Unemployment.
- (10) Central Control to be extended and number of higher officials to be increased.
- (11) Discontinuance of Unemployed Workmen Act, 1905.

### *How far Met.*

- (1) Supported by the Local Government Committee
- (2) of the Ministry of Reconstruction, January, 1918, but Ministry of Health Bill, 1920, defeated in House of Lords.
- (3) Poor Law Institutions Order, 1913.
- (4) National Council of Social Service founded, 1915.
- (5) Poor Law Regulation Order, 1911.
- (6) Old Age Pensions Act, 1908.
- (7) Poor Law Institutions Order, 1913.
- (8) Labour Exchange Act, 1909.
- (9) National Insurance Acts, 1911 to 1922.
- (10) President of Local Government Board (now Minister of Health) raised to status and salary of Secretary of State.
- (11) Out-of-work Donations introduced, 1918.

*II. Majority**Recommendations.**How far Met.*

(Not included in Section I.)

- |  |   |
|--|---|
| (1) Public Assistance Authorities instead of Boards of Guardians, viz., Committees of County or County Borough for administrative purposes.      | (1) No action.  |
| (2) Public Assistance Committees to be partly nominated by Urban and Rural District Councils and Voluntary Aid Councils to deal with applicants. | (2) No action.  |
| (3) Voluntary Aid Councils and Voluntary Aid Committees to act as intermediaries between public assistance and charity.                          | (3) No action.  |
| (4) County and Local Medical Assistance Committees to provide medical relief on a provident basis.   | (4) No action.  |
| (5) Institutional Treatment to be curative and restorative with periodical revision of cases.  | (5) Poor Law Institutions Order, 1913.                            |
| (6) Outdoor Relief to be adequate to needs ; subject to careful supervision, and case paper system to be adopted.                                | (6) Poor Relief Regulation Order, 1911.                           |
| (7) Public Assistance Service to be established with qualifying examinations for higher positions.   | (7) Poor Law Examinations Board, but examinations not compulsory. |

*III. Minority  
Recommendations.*

*How far Met.*

(Not included in Section I.)

- (1) Non-able-bodied to be dealt with by existing committees of the County and County Borough Councils, viz.—

(a) Education Committee :  
Children of school age.

(a) No action.

(b) Health Committee: Sick and permanently incapacitated ; infants under school age ; aged needing institutional care.

(b) No action.

(c) Asylums Committee :  
Mentally defective of all grades and ages.

(c) Mental Deficiency Act, 1913

(d) Pensions Committee :  
aged to whom pensions are awarded.

(d) Old Age Pension Acts.

These Committees to be supervised by the appropriate Government Departments.

- (2) Able-bodied to be dealt with by an authority charged only with this specific duty.

(2) No action.

- (3) Unemployment to be under the control of a Minister of Labour charged with the duties previously referred to.

(3) Ministry of Labour, established 1916.

- (4) The training of unemployed and control of Parliamentary funds for national schemes, including afforestation.

(4) Training of ex-service men only.

- (5) Registrars of Public Assistance to be appointed for local areas to prevent overlapping.

(5) No action.

# APPENDIX C

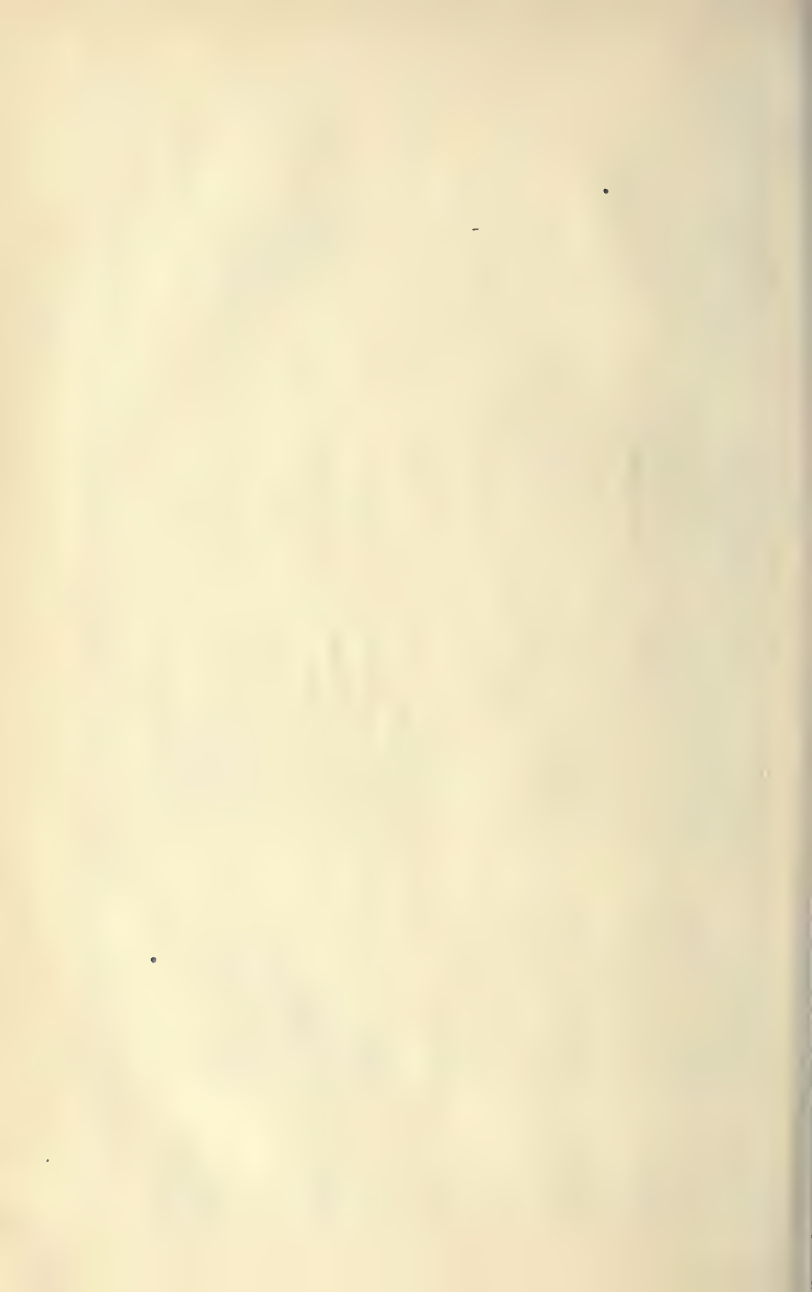
## OPPORTUNITIES FOR SOCIAL SERVICE.

(It has been presumed that there is no desire to seek the suffrages of the electors.)

Chapters.	Authority.	Position.	Method of Appointment.	Duties.
L.G. IV. V.	Parish Council. Board of Guardians.	Chairman. Deputy Chair- man, and two members.	Co-optation. Do.	Adoptive Acts. Poor Law.
L.G. V. L.G. VII.	District Council. Justice of the Peace.	Chairman. County and Borough.	Do. The Crown and certain <i>ex-officio</i> . Co-optation.	Public Health. Judicial and Administra- tive. Administrative.
XIII.	Mental Deficiency.	Committee for the Care of the Mentally Defective.	Co-optation.	Any six ratepayers may make representations.
L.G. XIII.	Housing.	Member of Committee.	Do.	Assessments. Rating.
XIV.	Overseers of the Poor.	Overseer of the Poor.	Borough, Urban or Parish Council or Meeting, or Justices of the Peace.	Any six ratepayers may make representations.
L.G. XIV.	Town Planning.	Member of Committee.	Co-optation.	Any one may make representations.
L.G. XV. L.G. XV. L.G. XV.	Baths and Washhouses. Public Libraries. Small Holdings and Allot- ments.	Ten electors re- Do. Six Parliament ary electors or ratepayers may representation.	Co-optation. requisition local authority to Do. Do. any electors or ratepayers may representation.	Any one may make representations. Do. Do. any make
L.G. XVII. XXII. XXII. XXII.	Police. War Charities. Charity Organization. Guild of Help.	Special Constables. Committee. Society. Committee.	Justices of the Peace. Co-optation. Nomination. Do.	Constabulary. Settlement of Claims. Administrative. Visitation.

XXII.	Council of Voluntary Aid.	Committee.	Nomination.	Administration.
XXIII.	Education.	Member of Committee.	Co-optation.	Administrative.
XXIII.	Do.	Managers and Correspondents.	Nomination.	Management of Schools.
XXIII.	Children Act, 1908.	Infant Life Protection Visitors.	Board of Guardians.	Visitation.
XXIV.	Education.	Visitors to Institutions.	Justices of the Peace.	Do.
XXIV.	Do.	Juvenile Advisory Committees.	Nomination.	Administrative.
XXIV.	Do.	After-Care Committees.	Do.	Do.
XXIV.	Juvenile Organizations.	Committee.	Nomination.	Advisory.
XXIV.	Employment Exchange.	After-Care Committee.	Co-optation.	Visitation.
XXV.	Children Act, 1908.	Managers of Reformatory and Industrial Schools.	Home Office.	Management.
XXV.	Do.	Probation Officers.	Justices of the Peace.	Probation.
XXVI.	Unemployed Workmen Act, 1905.	Distress Committee.	Co-optation.	Relief Work.
XXVI.	Employment Exchanges.	Local Employment Committee.	Do.	Advisory.
XXVI.	Do.	Juvenile Advisory Committee.	Do.	Do. (Juveniles).
XXVI.	Unemployment Insurance Acts.	Local Employment Committee.	Co-optation.	Do.
XXVI.	Do.	Juvenile Employment.	Do.	Do.
XXVI.	Do.	Court of Referees.	Nomination.	Settlement of Claims.
XXVII.	Trade Boards Acts.	Trade Boards.	Do.	Fixing Rates of Wages.
XXVII.	Joint Conciliation Committee.	Corn Production Acts (Repeal Act), 1921.	Do.	Do.
XXVIII.	National Health.	Insurance Committees.	Do.	Administrative.
XXVIII.	Tuberculosis Act, 1921.	Tuberculosis.	Co-optation.	Do.
XXIX.	Old Age Pensions Act.	Local Pension Committee.	Do.	Do.
XXIX.	Local Pensions.	Committee.	Do.	Settlement of Claims.
XXIX.	Naval and Military War Pensions.	Local War Pensions	Do.	Do.

NOTE.—The letters "L.G.," prefixed before the number of the chapter, indicate that the reference is to *The Local Government of the United Kingdom* (Pitman) and not to this book.



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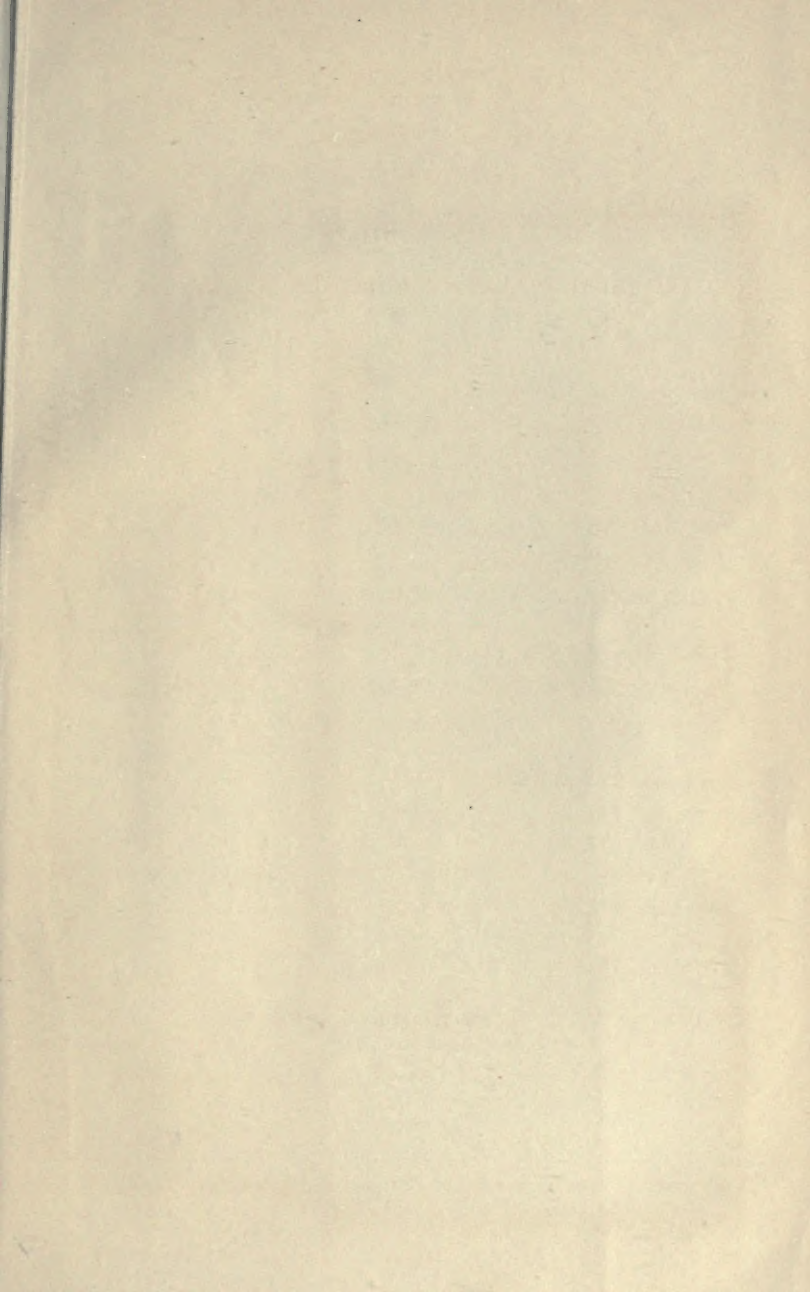
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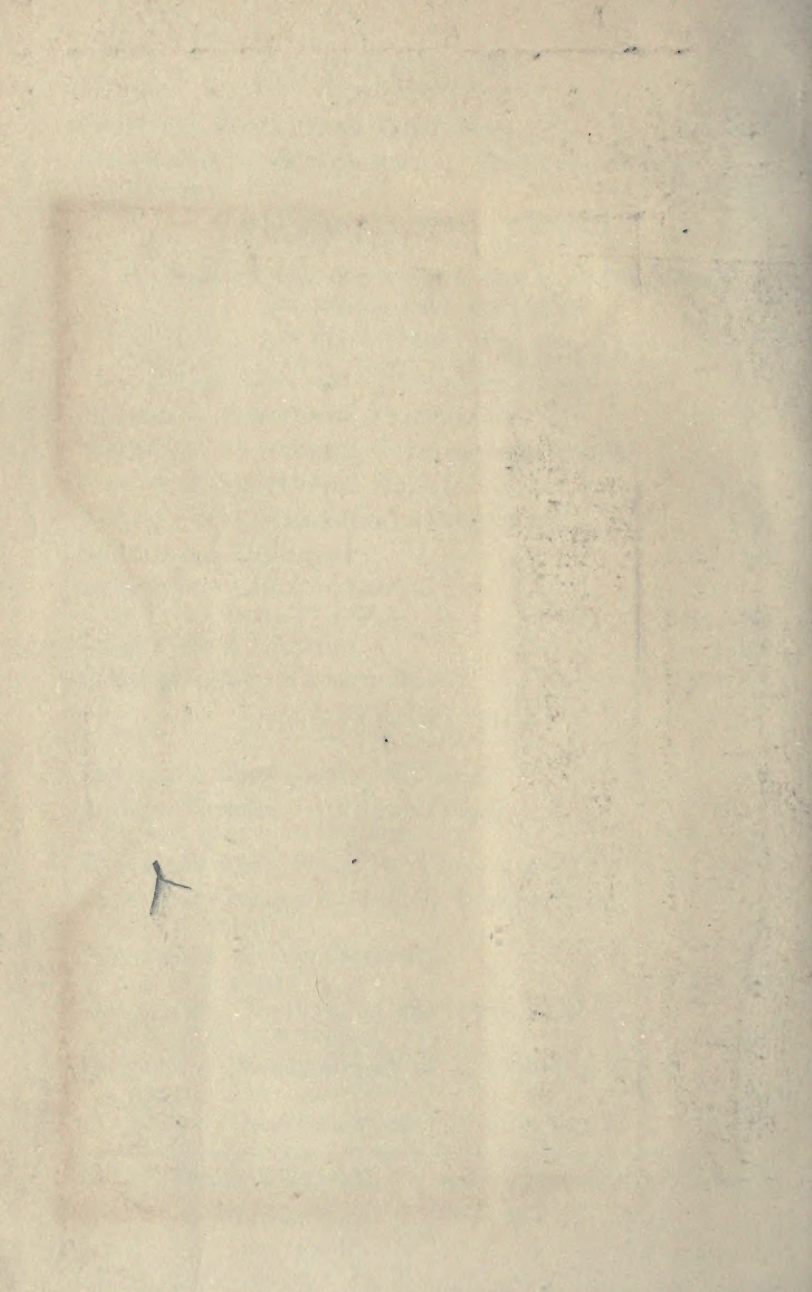
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